# Board of Selectmen

# Meeting Minutes

## 2000 - 2001

# Board of Selectmen Meeting Minutes

## January - December 2000

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**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**January 10, 2000**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**
Year 2000 Presentation by Town Celebrations Committee

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting**
Board of Selectmen Meeting: November 10, 1999
November 22, 1999

Board of Selectmen Executive Session: November 10, 1999
November 22, 1999

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**
7:30 p.m. Public Hearing - Transfer of Beer & Wine Restaurant License
Jack's Diner, 11-14 Central Square

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: January 24, 2000

**BOARD OF SELECTMEN MEETING MINUTES**

**JANUARY 10, 2000**

A regular meeting of the Board of Selectmen was held on January 10, 2000, at the Town Offices at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant to the Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Presentation of Town Flag, Celebration Committee and Elks Lodge

Walter Hedlund of the Celebration Committee came before the board to announce a Year 2000 surprise for the board and Town. He turned the presentation over to Mike McCarron of the Elks Lodge. Mr. McCarron said that in 1986 the Lodge sponsored a contest for school children to design the town flag. A winner was chosen out of 100 submissions. He and the Elks were pleased to present the Town with the winning entry. As for why it took 13 years to do so, he explained that the flag had disappeared from 1986 - 1991. The flag had recently been spotted in the Hall of Flags at the State House. He introduced the flag's designer, Mark Cruickshank, who designed the flag when he was a sixth grader. Mr. Cruickshank said the design of the flag consisted of the town seal over the state of Massachusetts with a star in each corner of the flag. He was pleased that the flag was finally returned to where it belonged. The flag was unveiled and accepted by the board. The Celebration Committee presented one to the Elks Lodge as well.

6th Annual Winterfest - February 4, 5 and 6, 2000

Peggy Dunn came before the board to announce the 6th Annual Winterfest to be held February 4th, 5th and 6th. The board was presented with the official Winterfest buttons on sale for a dollar. Winterfest events include a kick-off dance, pancake breakfast, ice sculptures, hayrides, Victorian tearoom, jazz concert, chowderfest and winter walk. All indoor events would be held regardless of the weather.

## OPEN SESSION

John Harrington, Water District Commissioner

Mr. Harrington announced that there would be a joint meeting of the BOS and the other water districts on February 28 to discuss some issues related to the water study.

Mr. Harrington went on to comment on the two-week waiting period required to obtain a new liquor license. He wondered whether the public hearing should be closed after the first session of the two-week period and the matter voted on at the next meeting. He based this observation on the spirited nature of the last meeting where the request of a license for the Adams Corner Variety was voted on. Selectman Eliopoulos explained the session needed to remain open. The only way to take the matters discussed in the session under consideration was to leave the public hearing open. He also reminded Mr. Harrington that the only information that could be considered pertinent to the vote is that which had been brought up in the public hearing. That included any phone calls received outside of the actual BOS meeting. Matters are decided by the board as a whole, not as individuals. Mr. Moran went on to say that often community awareness

of such a vote is provided during the initial session. The two-week waiting period gives the community a chance to come forward at the next session and make their feelings known.

## SCHEDULED BUSINESS

Public Hearing - Transfer of Beer and Wine Restaurant License - Jack's Diner, 11-14 Central Square

Brian Sullivan of Sullivan and Sullivan, representing Barbara Hamilton of Dino Dog Corporation, came before the board to request a transfer of Beer and Wine Restaurant License for Jack's Diner, 11-14 Central Square. The transfer is from Lisha Furtado to Barbara Hamilton, Dino Dog Corporation. The hours of operation will remain Monday - Saturday, 11 a.m. - 11 p.m. and Sunday, 12 p.m. - 11 p.m.

Ms. Hamilton, 23 Sleigh Rd. approached the board and stated that she and her husband have a long history of restaurant experience and are looking forward to running the diner. They will be completing their TIPS certification on January 15, 2000.

Selectman Eliopoulos made a motion to approve the transfer of Beer and Wine Restaurant License from Lisha Furtado to Dino Dog Corporation for Jack's Diner, 11-14 Central Square pending TIPS certification. Motion seconded and approved unanimously.

## APPROVAL OF MINUTES

Regular BOS Meetings - November 10 and 22, 1999 and Executive Sessions - November 10 and 22, 1999

Selectman Eliopoulos made a motion to approve the minutes from the regular BOS meetings from November 10 and 22 and the Executive sessions from November 10 and 22. Selectman McCall seconded. Selectman Moran made a correction to the minutes from the November 22 executive session. Minutes approved as amended.

## TOWN MANAGER REPORTS

Y2K

Mr. Lynch reported that Y2K caused no problems. The town was well prepared and everything went fine. It was a good exercise in community preparedness.

Route 3

The board and CBA sent a letter requesting that the Rte. 3/110 exit be retained. He was happy to report that the matter had been resolved and traffic will be allowed to go both ways on 110. The 495 South rest area is moving forward. Some Precinct 5 representatives are getting calls relating to noise coming from that area. The sound barriers will be going up before major construction begins. The state is being contacted about putting up signage and enforcing the 5-minute truck-parking limit.

Police Station and Library

A large number of bids have been filed for the Police Station. Work to the library is wrapping up and the library should be open next Friday.

Water Study

The meeting with the Water Commissioners is coming up. Information has been submitted from the Water Districts. The main focus of the study is to identify long-term solutions for providing the community with water.

DPW Study

The DPW Study is nearing completion and is pretty much on schedule. The study's focus was on efficiency and overall staffing requirements.

Glenview Sand and Gravel

In 1997 solid waste landfill spilled over from the Lowell side of Glenview Sand and Gravel. The DEP provided consent to have the site filled, and the Town took on an active role in the process. The Town entered into a Host Community Agreement with Mass Amalgamated Gravel. The Town receives fifty cents per ton for materials brought in. Weston and Sampson tests all material at the site of origin and at the Mass Gravel Site. The site is approximately one-third full. The town has received $214,290 so far with another payment of $35,000 due this week. So far, all fill brought in has tested o.k. Most fill is taken from the Big Dig project. There will be some brought in from private sites such as the Saints Memorial project and Saint Elizabeth's. There have been a few problems with the dumping process but it is being monitored. Hopefully, the project can be wrapped up by the fall of this year. Then the site can be leveled and graded and get back on the tax rolls. All in all, the project has been a positive one.

**TRAFFIC ACTION PLAN - UPDATE**

Mr. Lynch provided an update on the traffic action plan in response to a request by the board. Traffic has been a major issue for the Town for some time. In the last year, particular attention has been paid to the issue. Mr. Lynch introduced Police Chief Ray McCusker and Jim Pearson, D.P.W. Director, who were present to answer any questions. The action plan is broken into three general components.

Enforcement

The mission of this facet of the plan is to reduce speeding and accidents. In 1999 there was a 57% increase in citations. Motor vehicle accidents have decreased by 12% during the same time period. Over the course of the year there has been an increase in visibility and enforcement. To that end, another patrolman will be brought over to the Traffic and Safety Unit, increasing the total to seven patrolmen and one Sergeant.

Police Enforcement and Awareness

The Police Department has made available informational handouts providing possible traffic solutions. There is a website filled with information linked to the Town's website. The speed board has been out all over Town. This is a great resource and has served to make people more aware of how fast they are actually going. In addition, courtesy violation letters will be sent to those having been reported as violating traffic laws.

Research and Engineering

Research is being done to identify areas needing work. The traffic unit is providing help in that regard. There is a hotline to report problems. Mr. Lynch then read a list of areas that are being worked upon.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Moran said that there was a failure in the Littleton total call system and wished to offer the services of the mobile communication unit in the event something similar happened in the future. Mr. Lynch said that the communities share such resources.
- Selectman Moran reported that the Fletcher St. and Chelmsford St. intersection is a problem as it is too narrow to accommodate a bus turning. He suggested possibly moving the stop line back. Mr. Lynch said that he would look into it, but moving the stop line back creates problems with stacking traffic.
- Selectman Moran reported on his earlier opposition to the MBTA assessment and said that it was unfortunate that the LRTA has been put under the auspices of the MBTA.
- Selectman McCall reported that he was pleased to see that Golden Cove Road could possibly receive lights. Jim Pearson said that it was still 1-2 years away. Selectman Moran inquired about what happened to the money businesses have put towards the project. Mr. Lynch said that it was held aside.
- Selectman McCall said that he attended the WCAP phone-a-thon. There he ran into a Billerica selectman who reported being serious about wanting the ice time at the Forum.
- Selectman McCall asked Mr. Lynch where citizens concerned about the superintendent's review could have their displeasure addressed. Mr. Lynch said that they should contact the School Committee.
- Selectman Dalton inquired about the noise situation on Clover Hill Rd. Mr. Lynch said that they are working with the State on the rest area. Signs will be posted concerning the five-minute parking limit for trucks. Mr. Lynch went on to say given the distance to Robin Hill Road there wasn't much that could be done to alleviate the noise.
- Selectman Dalton said that the WCAP phone-a-thon was well represented with $18,000 being raised.
- Selectman Dalton inquired about a problem a resident on Davis Road was having with a flashing traffic light. Mr. Lynch said an extension was being put on the lamp so that the light wouldn't be shining directly in the window of the house.
- Selectman Eliopoulos reported that Mr. Lynch had attended the last Route 3 community liaison meeting with him. The Route 110/Rt. 3 interchange would be retained. The RFP was put out in December. Included in the RFP is the opportunity for the contracting team to come up with a plan for the Drum Hill rotary. The groundbreaking is still scheduled for July 2nd. There are two Park and Ride lots in place in Tyngsboro and Burlington. There is continued talk of extending train service from Nashua to Lowell. The LRTA is talking

about expansion to Burlington. Selectman Moran said that this might be a good time to gauge public interest in having the train stop in Chelmsford, perhaps North Chelmsford.

- Selectman Eliopoulos said that he had a number of calls from residents complaining about an increase in their tax bills. Mr. Lynch said that while the tax rate had decreased, many homes had their values assessed higher. The net effect for some is a higher tax bill; however, many residents found that their bills went down or remained the same. The market drives this.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, January 24, 2000, at 7 pm.

**EXECUTIVE SESSION**

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing collective bargaining, real property and litigation. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business the regular meeting adjourned at 8:30 pm.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**January 24, 2000**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**

George Simonian – Alumni Hall of Fame

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

Board of Selectmen: December 13, 1999

Executive Session: December 13, 1999

**Town Manager Reports**

**Town Manager Appointments**

Constable Appointments

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:30 p.m. Public Hearing - Joint Pole Petition, N.E. Telephone and Mass. Electric
Dalton Road

7:35 p.m. Protech Auto Sales II - Change in Owner/Manager

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: February 14, 2000

## BOARD OF SELECTMEN MEETING MINUTES
## JANUARY 24, 2000

A regular meeting of the Board of Selectmen was held on January 24, 2000, at the Town Offices at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant to the Town Manager.

### PUBLIC SERVICE ANNOUNCEMENTS

Alumni Hall of Fame - George Simonian

George Simonian of the Chelmsford High School Alumni Association announced the 10th Annual CHS Hall of Fame Induction and Dinner to be held Saturday, March 18, at the DoubleTree Hotel in Lowell. The social hour begins at 6 p.m. with a dinner to follow at 7 p.m. The inductees are Doris Hankinson-Baker, class of 1945; John T. Conrad Jr., dean; Sheryl L. Dumont, class of 1976; John P. Emerson, Jr., class of 1959; Heather Linstad, class of 1985; Paul E. Moody, class of 1954; Haworth C. Neild II, class of 1963; Lucy Ann Simonian, class of 1982; and Angelo Taranto, dean. Simonian added that Dr. L. Rodger Currie would be the recipient of a special award for exceptional service to the students at Chelmsford High School.

### BOARD OF SELECTMAN APPOINTMENTS

Mr. Lynch prefaced the board appointments by stating that the constable makes recommendations for Deputy Constables and the board votes to appoint them. The appointees to the office of Deputy Constable are:

| | |
|---|---|
| Joseph R. Connell | 3 Connell Dr., Westford |
| Edward J. Finn | 28 Hemlock Rd., Westford |
| Judith Goffin | 19 Cathy Rd., Chelmsford |
| Robert Rallis | PO Box 653, Lowell |
| Matthew St. Hilaire | 11 Cross St, Chelmsford |
| Donald Stout | 14 Blossom St., Lowell |
| Henry Sullivan | 1 Bel-Air Drive, Chelmsford |
| Kevin V. Whippen | 168 Groton Rd., Chelmsford |

Selectman Eliopoulos made a motion to appoint the above to the office of Deputy Constable per the recommendation of the constable, William E. Spence. Selectman McCall seconded, motion approved unanimously.

## SCHEDULED BUSINESS

Public Hearing - Joint Pole Petition, N.E. Telephone and Mass. Electric, Dalton Road

Joseph Gleason, Community Liaison for N.E. Telephone, 28 Diana Lane, Dracut came before the board to request approval for a joint pole petition from N.E. Telephone and Mass. Electric on Dalton Road. The petition is to remove two poles and replace them with one pole moved 20 feet west on Dalton Road to a location in front of 150 Dalton Road.

As this was a public hearing, Selectman Weisfeldt invited anyone interested in speaking to come forward. William Gist, 156 Dalton Road, came forward and inquired as to why the pole change was necessary. Mr. Gleason replied that they were responding to a request from Mass Electric for the house at 150 Dalton Road to move the pole closer so that service could be provided for a business being conducted at the rear of the location. The pole would be moved out from in front of the residence at 156 Dalton Road. Mr. Gist then inquired whether there would be underground wires. Mr. Gleason said that he was unaware of any underground wiring and that the service would continue to be provided from above ground wires. Mr. Gist was satisfied with this information. No one else came forward and the public hearing was voted closed.

Selectman Eliopoulos made a motion to approve the joint pole petition between N.E. Telephone and Mass Electric for the removal of two poles and placement of one pole on Dalton Road as outlined in Plan #970. Selectman McCall seconded, motion approved unanimously.

Protech Auto Sales II - Change in Owner/Manager

John Galenius, ProTech II Auto Sales, 65 Tyngsboro Road, appeared before the board to request a change in ownership for ProTech II Auto Sales. Mr. Galenius said that Mr. McLaughlin would be moving back to Florida and he would be sole owner.

Selectman Eliopoulos made a motion to approve the removal of John McLaughlin as co-owner of ProTech II Auto Sales, 65 Tyngsboro Road, with John Galenius remaining as sole owner. Selectman McCall seconded, motion approved unanimously.

## APPROVAL OF MINUTES

Regular BOS Meetings - December 13, 1999, and Executive Session - December 13, 1999

Selectman Eliopoulos made a motion to approve the minutes from the regular BOS meetings from December 13, 1999, and the Executive sessions from December 13, 1999. Selectman McCall seconded. Selectman Dalton made a correction to the regular meeting minutes, changing the name "White Package" to "Wood St. Package". Minutes approved as corrected.

## TOWN MANAGER REPORTS

Year 2001 Budget

Mr. Lynch reported on the preparations of the Year 2001 Budget. There was the expectation that the state would be reducing the amount of school aid. There was the possibility of a lottery money cap. Miscellaneous receipts were leveling off. A future increase in the motel/hotel tax was likely, although it takes awhile to go through the state. Mr. Lynch will be presenting the budget a week from Thursday. Selectman Eliopoulos inquired into the progress of the Transportation Bond Bill. Mr. Lynch responded that it was hard to predict, and that it would

likely go through with the budget in June or July. He expected that the state budget would go through in a timely fashion unlike this past year.

Lowell-Nashua Railway

Mr. Lynch said that there is interest building in a Lowell-Nashua Railway but at this point details are still sketchy. He would keep the board updated as a plan is flushed out. Discussion seems to be focusing on where a local stop would be located. Selectman Moran commented that a commuter stop increases property values. He went on to say that a spur to the Route 128 area would be very useful.

License Renewal Follow-up

Mr. Lynch reported that the Hong and Kong Restaurant had regraded the parking lot and included ramps and handicapped parking spaces. Tom Fall of the ADA is pleased with the progress. All that remains is to hot top and stripe the spaces. This will be done in the spring.

Middlesex Auto is trying to sell the property and is working with Richard Day and pulling the proper permits so that the property can be brought up to code. A few businesses are still working out payment plans with the treasurer's office.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Moran said there is a Finance Committee meeting next Thursday where the Town Manager will present the budget.
- Selectman Moran inquired into the progress on Dalton Rd. Mr. Lynch said the crosswalk had been reestablished at the Sylvan intersection but the lines haven't been painted yet. Selectman Weisfeldt recognized Tony Volpe, School Committee. Mr. Volpe came before the board concerning the Westland School crosswalk. The crosswalk and crossing guard were eliminated without the school department's knowledge. While the situation was resolved, he specifically wanted to address the channels of communication. Mr. Lynch responded that the crosswalk was part of the plans and had been addressed in a number of public hearings. Jim Pearson had gone over the plans with school officials. He continued that since the school department assigns the crossing guards he couldn't say what had happened there. Mr. Volpe stated that he was pleased that the situation had been resolved and the crosswalk restored.
- Selectman Moran commented on the disappearance of a Drexler Drive street sign and the vandalism of street signs in general. He reported the sign missing, and the DPW put a new one up. Within 24 hours the sign was missing again. He emphasized the seriousness of removing street signs. In the event of an emergency the absence of a sign could have very costly implications. He requested that those vandalizing signs should be prosecuted to the fullest extent of the law. Mr. Lynch agreed and went on to say that they are looking at different sign materials to make them less susceptible to vandalism.
- Selectman McCall reported on a Library Trustee meeting. The library is 95% complete and the trustees are planning an opening for donors followed by the grand opening in March.

- Selectman McCall asked Mr. Lynch if the three-inch snow rule for plowing is still in effect. Residents had commented to him that there was still snow on their streets. Mr. Lynch responded that the three-inch policy is still in effect and that all the equipment had been sent out in the most recent storm. The wind had made it difficult to keep up with the drifting snow.
- Selectman Eliopoulos reported that the School Committee meeting was rescheduled for Tuesday, February 1st. He also said that Route 3 advisory committee was meeting on the 3rd at noon at the town offices. Margaret O'Meara of Mass. Highway Department was reviewing the Town's Drum Hill Rotary proposal. Mr. Moran suggested posting a copy of the plan for the public. Mr. Lynch said that it would be posted. Selectman Eliopoulos continued that there were alternate plans submitted by the contractors.
- Selectman Eliopoulos announced that the board would be in Boston this weekend attending the MMA convention.
- Selectman Eliopoulos confirmed with John Harrington that that the joint meeting with the water districts would be held February 28th.
- Selectman Dalton brought to Mr. Lynch's attention a request from residents on Hidden Way for a streetlight. Sergeant Kelly had been sent down to assess the situation. Mr. Lynch said it could be done.
- Selectman Dalton reported that the Planning Board had voted down Tom Gonsalves' affordable housing plan for Richardson Road. They were hoping to modify the plan and come back for appeal.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, February 14, 2000, at 7 pm.

**EXECUTIVE SESSION**

Selectman Eliopoulos motioned to adjourn. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business, the regular meeting adjourned at 8:00 pm.

Respectfully submitted,

Donna McIntosh

# BOARD OF SELECTMEN MEETING MINUTES

## January 31, 2000

A special meeting of the Board of Selectmen was held on January 31, 2000 at the Town Offices. Board members present were Selectmen Stuart Weisfeldt, Philip Eliopoulos and Tom Moran. Also present were Town Manager Bernard Lynch, Treasurer Fred Mansfield, and Assistant to Town Manager John Coderre.

Sale of Bonds

Sel. Eliopoulos made a motion to approve the sale of the $11,935,000 Municipal Purpose Loan of 2000 Bonds of the Town dated February 1, 2000, to Corby North Bridge Securities Incorporated at the price of 100.0136% and accrued interest is hereby confirmed. The bonds shall be payable on February 1 of the years and in the principal amounts and bear interest at the respective rates as listed, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated January 11, 2000. Selectman Moran seconded, and the motion passed unanimously.

Sel. Eliopoulos made a further motion that the consent dated January 19, 2000 to the financial advisor bidding for bonds is hereby confirmed. Selectman Moran seconded, and the motion passed unanimously

Respectfully submitted,

Janet Murphy

I, the Clerk of the Board of Selectmen of the Town of Chelmsford, Massachusetts, certify that at a meeting of the board held January 31, 2000, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes unanimously passed, all of which appears upon the official record of the board in my custody:

Voted: that the sale of the $11,935,000 Municipal Purpose Loan of 200 Bonds of The Town dated February 1, 2000, to Corby North Bridge Securities, Incorporated at the price of 100.0136% and accrued interest is hereby confirmed. The bonds shall be payable on February 1 of the years and in the principal amounts and bear interest at the respective rates as follows, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated January 11, 2000:

| Year | Amount | Interest Rate | Year | Amount | Interest Rate |
|---|---|---|---|---|---|
| 2001 | $865,000 | 5.20% | 2010 | $585,000 | 5.50% |
| 2002 | 865,000 | 5.20 | 2011 | 585,000 | 5.45 |
| 2003 | 865,000 | 5.20 | 2012 | 585,000 | 5.50 |
| 2004 | 865,000 | 5.20 | 2013 | 585,000 | 5.60 |
| 2005 | 865,000 | 5.20 | 2014 | 585,000 | 5.65 |
| 2006 | 590,000 | 5.25 | 2015 | 585,000 | 5.70 |
| 2007 | 585,000 | 5.25 | 2016 | 585,000 | 5.80 |
| 2008 | 585,000 | 5.25 | 2017 | 585,000 | 5.80 |
| 2009 | 585,000 | 5.30 | 2018 | 585,000 | 6.00 |

Further Voted: that the consent dated January 19, 2000 to the financial advisor bidding for the bonds is hereby confirmed.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date and time of the meeting was filed with the Town Clerk and a copy thereof posted in the office of the Town Clerk or on the principal official bulletin board of the Town at least 48 hours, including Saturdays but not Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the bonds were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.39, s.23B as amended.

Dated: January 31, 2000

Clerk of the Board of Selectmen

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**February 14, 2000**

**6:30 p.m.** **BOS Work Session/Review of Submitted Budget**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

| | |
|---|---|
| Executive Session: | January 10, 2000 |
| Board of Selectmen: | January 10, 2000<br>January 24, 2000<br>January 31, 2000 |

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

Bridge Street – Land Bid

**Scheduled Business**

7:30 p.m. Auditor's Report

8:00 p.m. Joint Meeting – BOS/School Committee/Finance Committee
"Financial Issues for the Year 2000 and Beyond"

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting:** February 28, 2000

# BOARD OF SELECTMEN MEETING MINUTES

## FEBRUARY 14, 2000

A regular meeting of the Board of Selectmen was held on February 14, 2000, at the Town Offices with a work session beginning at 6:30 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## WORK SESSION/REVIEW OF PROPOSED BUDGET

Mr. Lynch presented the proposed budget for Fiscal Year 2001. He stated that the budget is revenue driven. Revenues are estimated for the coming year and this determines what can be spent. Revenue is comprised of local taxes, State aid, available funds and miscellaneous receipts. The total budget is approximately $72.6 million.

Revenue

Local taxes increase 2.5% plus an estimated one million dollars in new growth, primarily from commercial properties. Added to that is the $3.5 million debt exclusion for the sewer project, bringing total taxes to about $48.6 million, an increase of 6.17%. Local taxes comprise approximately 66% of total revenue. State aid is projected to increased by 6.8%, however additional assistance was cut by $319,000. Local receipts are projected to increase, some due to new building and permit fees. A review of the fee structure is underway bring it in line with comparable towns. There has been an increase in traffic enforcement resulting in increased fines and forfeits. Safety was the primary goal in the increase in enforcement, with the additional revenues a by-product. Hotel taxes revenue has increased due to the new hotel. Revenue on the whole is up approximately 3%.

Expenditures

Expenditures come in at $72,574,000, which is a 2.7% increase over last year. There isn't too much to highlight in the municipal administration category. An increase of $2.2 million has gone towards public education for a total of $38 million, which is 53% of the total budget. Veteran's benefits have decreased by $25,000 reflecting changes in regulations and a decrease in the number of cases. Employee benefits continue to pose a concern due to our limited power to control costs. Medical costs are on the rise again. A contributing factor is the years ago to provide benefits to retirees. These numbers will bear watching over the coming years. There are some increases in costs associated with the new library, including heat and electricity.

## APPROVAL OF MINUTES

Regular BOS Meetings – January 10, 24, and 31 and Executive Session – January 10, 2000

Selectman Eliopoulos made a motion to approve the minutes from the executive session of January 10, 2000. Selectman McCall seconded. Motion approved with the abstention of Selectman Dalton.

Selectman Eliopoulos made a motion to approve the minutes from regular meetings for January 10 and 24. There was a typographic correction made to the January 10th minutes changing "Drexler" to "Drexel". Motion seconded and approved unanimously.

Selectman Eliopoulos made a motion to approve the minutes from the regular meeting for January 31, 2000. Motion seconded and approved with two abstentions. Selectmen Dalton and McCall abstained.

## TOWN MANAGER BIDS/CONTRACT AWARDS

Bridge Street – Land Bid

Selectman Eliopoulos made a motion to award a land bid to Gerald D. Tonks for a 19,602 square foot parcel of land on Bridge St. for the amount of $2,400 pursuant to Article 19 of the fall Town Meeting on October 18, 1999. Selectman McCall seconded. Selectman Eliopoulos questioned the low sales price. Mr. Lynch responded that the lot was wetland and unbuildable. The buyer was adding it on to an existing lot with a building already on it. He went on to point out that the matter had been voted on at Town Meeting. Motion seconded and approved 4-1 with Selectman Eliopoulos voting against.

## TOWN MANAGER REPORTS

North Town Hall

Mr. Lynch commented on the memo of February 4 concerning the future of the North Town Hall. The Historical Commission is recommending that the building be turned over to the Commission. Mr. Lynch would like to study the matter further before making a commitment. He hopes to have a report out shortly. Selectman Weisfeldt asked if the interest of a software company in the building was time sensitive. Mr. Lynch responded that it probably was in the case of this particular firm.

Police Station

Mr. Lynch reported that the police station bids had come in high. The apparent low bidder was about $800,000 over budget. The alternatives were to go back to Town Meeting and ask for more money or to let it go back out to bid. At this time the plans were being altered and it will go back out to bid.

Library

The library is behind schedule but still within budget. There was a problem with the entranceway where the precast concrete was the wrong size. It is being recast. Some roof work needs to be completed and there is still electrical work to be done. Hopefully the building will open next week. These delays could result in the contracted firms paying liquidated damages.

Warrants

Mr. Lynch said he would present the Warrants for Special Town Meeting and Spring Town Meeting at the next Board meeting for discussion. The next step is for the board to vote on them.

## SCHEDULED BUSINESS

Joint Meeting – BOS/School Committee/Finance Committee – "Financial Issues for the Year 2000 and Beyond"

Present for the joint meeting were the following members of the School Committee; Judy Mallette, Evelyn Thoren, Sheila Pichette and Tony Volpe. Representing the Finance Committee were Clare Jeannotte, Bill Curry, Mary Frantz and Dwight Hayward. Also present was Dr. Richard Moser, Superintendent of Schools.

Mr. Lynch presented the five-year projections out to 2006 to the Board, School Committee and Finance Committee in accordance with the town charter. The plan was updated again this year with the goal of providing realistic, balanced guidelines for budgeting. The guidelines realistically maintain current service levels. So far growth has been sustained in the economy but sooner or later there will be a correction. The stabilization fund is the key to being prepared for such a down turn. There is currently 6 million in reserve. The stabilization plan calls for sustaining that level of funding. There is a 6% increase in the school budget for FY 01 followed by 4.4% future increases.

Superintendent of Schools Richard Moser took the floor and presented a status report on the school budget. The school budget hasn't gone before the School Committee, so some details were not addressed. His primary focus was to question whether a 4.4% annual increase to the schools' budget would be adequate. His simple answer was that a 4.4% increase was not adequate. His research concluded that a 6.5% annual increase would be more realistic. He presented five guiding questions that need to be addressed in the short and long-range budget planning for public education. These questions are as follows:

- Enrollment history

  Enrollment has consistently risen and is expected to continue to rise over the next five years.

- Budget history

  The expectation is that the budget will continue to increase in the same manner. Given the changing nature of education, specifically in terms of MCAS compliance and technological needs, it is unlikely that the current trends in budgetary increases will accommodate them. A 6.5% increase is more realistic if the current level of service is to be maintained.

- Chapter 70

  Chapter 70 funds have been increasing as a percentage of the total aid; there is the fear that it will not continue to increase.

- Non-discretionary obligations

  There have been increases in non-discretionary obligations as there are changes in hiring trends. More and more on-step teachers are being hired along with teachers with Master's degrees. There are also costs associated with transportation and substitute teachers.

- Space needs

  As enrollment numbers increase, space consideration will become a factor. In the next two years enrollment numbers will begin to be problematic. Building needs assessment is still being conducted to determine future needs accurately.

The floor was open for questions and comments following Dr. Moser's presentation. Ms. Jeannotte asked Dr. Moser if the 6.5% increase is definite. Dr. Moser said that at this point it was just a model. Building assessment would need to be completed before a definitive budget increase could be determined.

Mr. Volpe brought up the issue of SPED funding. Mary Frantz questioned where funding would come from if the State cuts special education funding. To that end, Ms. Mallette announced a hearing to be held on special education at the Gardner Auditorium in Boston on March 15th. She requested all those interested to attend.

Everyone agreed that school funding is a difficult issue and would bear more scrutiny and careful thinking to come up with workable solutions.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Moran recommended drafting another letter to Cleven and Fargo identifying community needs. It was suggested that the representatives be invited in to a meeting.
- Selectman Moran had attended the Aspect Communication opening and felt that a community resource book would have been welcomed. Mr. Lynch responded that the book would be ready soon. He went on to say the resource book is primarily a guide to recreation in the area.
- Selectman Moran announced the art auction at the Elks. Theresa Conrad can be contacted for more details.
- Selectman Moran expressed his concern that the large cost overrun for the Big Dig could cause other road projects to be eliminated. Mr. Lynch responded that there was some reengineering taking place on the Center project, but it was fairly certain to go through. The Bike Path project was moving on to the Conservation Commission. Bridgework was on hold, including the Bainbridge Bridge. Those projects included under the Bond Bill would bear watching.
- Selectman McCall said he would be attending the NMCOG meeting on Tuesday where he would bring up the Nashua commuter train.
- Selectman McCall inquired about the status of the Bike Path. The project was going to the Conservation Commission and out to bid this summer.Work would likely begin in the fall.
- Selectman McCall asked about the continued existence of the snow emergency parking ban. Mr. Lynch responded that there was still an on-street parking ban in the event of a snow emergency.
- Selectman McCall asked about problems associated with the second opening at the East Gate Plaza. Mr. Lynch said that it was private property so it wasn't with the Town's purview.

- Selectman Eliopoulos mentioned that there was a School Committee meeting the following evening.
- Selectman Eliopoulos reported on the Route 3 Advisory Committee meeting held in Chelmsford the previous week. The Drum Hill Rotary was the primary topic of conversation. The State was provided with more accurate information concerning the flow of traffic. The design teams have concerns with the State's plan.
- Selectman Dalton requested an update on the installation of a light on Hidden Way. Mr. Lynch said that it was on the list.
- Selectman Dalton reported that according to a report issued by the Affordable Housing Committee there was a one to ten year wait for elderly housing and that more vouchers had been issued. Unfortunately there aren't more units available. He commented that the Richardson Road project had been voted down by the Planning Board and was up for appeal. He suggested that Dave Hedison come in to explain the report.
- Selectmen Weisfeldt and Eliopoulos commented on the success of Winterfest. All events were well attended and enjoyed by all.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, February 28, 2000, at 7 pm.

**EXECUTIVE SESSION**

Selectman Eliopoulos motioned to go into executive session for the purpose of discussing contract negotiations. Selectman Dalton seconded and a roll call vote followed: TEM-Aye, WFD-Aye, PME-Aye, MFM-Aye and SGW-Aye. There being no further business the regular meeting adjourned at 10:00 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**February 28, 2000**

**7:00 p.m. Call to Order - Pledge of Allegiance**

**Public Service Announcements**

Proclamation: Town of Chelmsford Scholarship Month, March 2000
Barbara Langworthy, Scholarship Committee

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

**Town Manager Reports**

**Town Manager Appointments**

Cultural Council

**Town Manager Bids/Contract Awards**

Convection Oven – Senior Center
Re-evaluation Update of Commercial/Industrial and Personal Property

**Scheduled Business**

| | | |
|---|---|---|
| 7:30 p.m. | Dog Hearing | "Black Magic" Owned by Ellen Neely<br>Ralph & Edna Semonian, Complainants |
| 8:00 p.m. | St. Vartanantz Church | One Day All Alcohol License |
| 8:05 p.m. | St. John the Evangelist Church | One Day All Alcohol License |

**Unscheduled Business**

- Special Town Meeting Warrant
- Annual Town Meeting Warrant

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: March 20, 2000

# BOARD OF SELECTMEN MEETING MINUTES

## FEBRUARY 28, 2000

A regular meeting of the Board of Selectmen was held on February 28, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Town of Chelmsford Scholarship Month, March 2000 - Barbara Langworthy, Scholarship Committee

Selectman Eliopoulos read a proclamation proclaiming March "The Town of Chelmsford Scholarship Fund Month." A certificate was presented to Barbara Langworthy who thanked the community for its generous support of the fund. The fund provides scholarships for people attending post-secondary school.

Library Opening

Selectman Weisfeldt announced that the library would be opening the following day, February 29th, at noon. Mr. Lynch added that the library is about 99% complete. The grand opening is scheduled for March 26th.

## OPEN SESSION

Chelmsford Business Association Candidate Night

John Harrington of the C.B.A. came before the board to announce a "Candidate Night" sponsored by the association. The event is scheduled for Thursday, March 16 at 7:00 pm at the Radisson Hotel. There will be a free buffet and a candidate question and answer period.

## TOWN MANAGER BIDS/CONTRACT AWARDS

Convection Oven - Senior Center

Mr. Lynch awarded the contract for a convection oven to be used at the Senior Center to United Restaurant Equipment Co., Lowell. Martin Walsh recommended the bid on the basis of the best price ($7,484), quality, installation and a two-year warranty.

Selectman Eliopoulos made a motion to award the bid for the purchase of a convection oven for the Senior Center to United Restaurant Equipment Co., Lowell for the amount of $7,484. Selectman McCall seconded, motion approved unanimously.

Revaluation Update of Commercial/Industrial and Personal Property

Mr. Lynch awarded the contract for the Revaluation Update of Commercial/Industrial and Personal Property to Vision Appraisal Technology, the current provider, in the amount of $28,800.

Selectman Eliopoulos made a motion to approve the FY 01 Revaluation Update of Commercial/Industrial and Personal Property to Vision Appraisal Technology in the amount of $28,800. Selectman McCall seconded, motion approved unanimously.

## TOWN MANAGER REPORTS

Veteran's Administration Health Screening - Senior Center

Mr. Lynch announced a health screening and enrollment for veterans to be held March 22 from 2-6 pm at the Senior Center. Some of the tests include blood pressure, glucose levels, and Agent Orange exposure for any qualified veteran.

Town Meeting

Preparations are underway for the Spring Town Meeting. Budgetary issues are being worked through. There is an additional meeting set up with the School Department to review capital expenses. A meeting is scheduled with Nashoba Valley Technical School for March 20th to discuss the their Feasibility Study..

## TOWN MANAGER APPOINTMENTS

Cultural Council Appointments

Mr. Lynch appointed Jeff Carney and Jaclyn Matzkin to the Cultural Council. Selectman Eliopoulos made a motion to approve the appointment of Jeff Carney and Jaclyn Matzkin to the Cultural Council for a two-year term. Selectman McCall seconded, motion approved unanimously.

## SCHEDULED BUSINESS

Dog Hearing - "Black Magic" Owned by Ellen Neely - Ralph & Edna Semonian, Complainants

Ralph Semonian, 198 Proctor Road, approached the board to register his complaint against "Black Magic," the dog owned by Ellen Neely, 200 Proctor Road. Mr. Semonian stated that his problems with prolonged barking from the property at 200 Proctor Road began in 1986. Since the original dog, there have been two other dogs that have continued to be a nuisance. Mr. Semonian has reported problems with the excessive barking on numerous occasions. The barking has gone on for hours at a time at all hours and has even continued all night long. The Semonians were reluctant to bring a formal complaint against Ms. Neely. However, after keeping a log of the excessive barking incidents between October 1999 and January 2000, thy felt that there was no alternative. Mr. Semonian and his family are seeking permanent relief from this situation.

Ellen Neely, 200 Proctor Road, spoke in defense of Black Magic. She stated that until a year and a half ago she has been without a dog for quite some time. Black Magic, a female Black Lab, was acquired as a puppy at that time. She went on to say that Black Magic only goes out when she is at home. During the week the dog goes out in the mornings and evenings and sometimes on the weekends during the day. The dog has the run of the one-acre property within an invisible fence. Ms. Neely recognized that there was a problem over the Thanksgiving weekend as the dog was under the charge of a housesitter who apparently left her unattended in the yard. In an effort to respond to the Semonians' concerns, Ms. Neely purchased a "Barker-Breaker" device. Ms. Neely has found the device to be helpful and has been advised that since Black Magic is young it should be effective. Ms. Neely challenged the Semonians to prove that the barking always comes from Black Magic, as there are at least three other Labs within close proximity of the Semonian property.

Jim Hipson, 184 Concord Road, stated that he and his wife walk the path that runs behind the Neely property and have been followed by the dog on occasion. One day, Black Magic and another dog followed his wife home. Mr. Hipson captured the other dog and turned it and the tag number of Black Magic into the dog officer. Frank Warren, the dog officer, could not confirm that Black Magic was in violation of the leash law on that occasion.

Carl Semonian, 198 Proctor Road, confirmed his parents' complaints as to the dog's behavior. He also said that it is easy to locate the direction the barking is coming from and identify the dog. Ralph Semonian took the podium and repeated that it wasn't difficult to associate the barking of a given dog by identifying the direction of the bark. He went on to say that it wasn't right to disregard the rights of others. As a taxpayer, he was entitled to lasting relief from this intolerable situation. The family appreciated Mrs. Neeley's efforts with the "Barker Breaker"; however, since it was only a deterrent when she was home, they felt more should be done

Frank Warren took the podium and stated that he had responded to ten calls regarding a dog at the Proctor Road address. He did not usually find the dog barking when he arrived at the address. Selectman Eliopolous asked whether the dog had been inside or outside when he got there. Mr. Warren responded that the dog was inside. Selectman Moran asked if Mr. Warren had any experience with bark deterring collars. Mr. Warren responded that he hadn't. Mr. Lynch said that other communities have found the citronella collars to be effective. These collars do not require the owner to be present for the barking correction to be given.

Selectman Moran favored the barking collar because the owner doesn't need to be present for it to be effective. He said he wouldn't necessarily favor a muzzle. Selectman Dalton agreed with Selectman Moran, although he wouldn't rule out a muzzle. He suggested the bark collar be used whenever the dog is outside. He agreed with Ms. Neely that as the dog is needed for protection it shouldn't be required to wear the collar while inside. Selectman Eliopoulos inquired how long it would take to train the dog. Selectman Moran said he didn't know for sure, but thought it wouldn't be too long. Mr. Lynch suggested there be a grace period for the purposes of training the dog.

Selectman Moran made a motion to require the owner of the dog Black Magic, Ellen Neely of 200 Proctor Road, to purchase an anti-bark collar and place it on the dog whenever the dog is outside for the life of the dog with a reasonable training period. Selectman McCall seconded, motion approved unanimously.

<u>One Day All Alcohol License - St. Vartanantz Church</u>

Nona Juknavorian of the St. Vartanantz Church, 180 Old Westford Road, came before the board to request a One-Day All Alcohol License for March 4, 2000, for the purposes of a Masquerade Ball. The exact license times are from 7 pm to 12 am. Ms. Juknavorian is making arrangements with Ted Flanagan for herself and three other church members to attend the next TIPS certification class.

Selectman Eliopoulos made a motion to approve a One Day All Alcohol License for the St. Vartanantz Church, 180 Old Westford Road for the date of March 4, 2000, for the hours between 7 pm to 12 pm. Selectman McCall seconded, motion approved unanimously.

The board reminded Ms. Juknavorian that in accordance with the town liquor regulations they would need to see proof of TIPS certification for the next issuance of a one-day license.

One Day All Alcohol Licenses - St. John the Evangelist Church

Pat Jamros of the St. John the Evangelist Church, 115 Middlesex St., came before the board to request a One-Day All Alcohol License for March 18th for the purposes of a St. Patrick's Day dance. The exact license times are from 6:30 pm to 11:30 pm. Ms. Jamros stated that a licensed bartender would tend the bar.

Selectman Eliopoulos made a motion to approve a One-Day All Alcohol License for the St. John Evangelist Church, 115 Middlesex St., for March 18, 2000, from the hours of 6:30 pm to 11:30 pm. Selectman McCall seconded, motion approved unanimously.

Ms. Jamros was also reminded that proof of TIPS certification would be necessary in accordance with the liquor regulations before another One-Day License would be granted.

**UNSCHEDULED BUSINESS**

Special Town Meeting Warrant

Mr. Lynch read the Special Town Meeting Warrant article by article. He suggested moving article 20 from the Annual Town Meeting Warrant over to the Special Town Meeting Warrant. This article changes the zoning of six acres on Penni Lane from "RA," single residence to "P," public. Selectman Eliopoulos made a motion to post the Special Town Meeting Warrant with the changes and amendments. Selectman McCall seconded, motion approved unanimously.

Annual Town Meeting Warrant

Mr. Lynch read the Annual Town Meeting Warrant article by article. He reminded the board that article 20 had been moved to the Special Town Meeting Warrant. Article 9 was amended to remove all capital improvements with the exception of the roof under the school budget. Selectman Dalton inquired as to the wording on Article 18, specifically why the word "associate" was used over "alternate." Mr. Lynch responded that it was at the recommendation of the Town Counsel. Selectman Dalton then questioned whether the Planning Board "associates" could vote. Mr. Lynch responded that they could. He went on to say that the Planning Board doesn't like the way the article is worded. At this time they want to have one associate rather than two. This associate would be elected as well. Selectman Eliopoulos said that in fairness to the Planning Board their input should be taken into consideration before this article is posted. Selectman Dalton agreed. Article 18 was tabled with the intention of taking it up again at the March 20th meeting.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Moran inquired as to the stance of the MMA on the antennae regulations. Mr. Lynch responded that he had gotten together with the industry and Conservation Law Commission to work together on the issue. Chelmsford has a bylaw that limits where the antennas can be placed. Some communities have limits where they can go altogether. Selectman Moran expressed concern that the Town was potentially giving up local control. Mr. Lynch replied that Representative Parente of Milford was leading the opposition to this.

- Selectman Moran reminded Mr. Lynch that the December review of present liquor license holders hadn't been conducted. He suggested setting a date to do so. Mr. Lynch responded that a date would be set.

- Selectman Moran suggested that the crosswalk warning signs go up in front of the new library. Mr. Lynch said there wasn't a problem with putting them up. The problem is with cars knocking them over and creating an obstruction in the road.
- Selectman McCall reported that he had a number of calls from residents concerned about the article on the sale of the Glen Ave. property. He also received calls about the Curry property. The calls were for the most part seeking information and clarification.
- Selectman Eliopoulos reminded everyone that there would be a hearing on special education funding in Boston on March 15th. He strongly encouraged all interested parties to attend.
- Selectman Eliopoulos reported that there would be a Route 3 Advisory Committee meeting on Thursday, March 2nd. He hoped to have an updated report on the Drum Hill Rotary at the next BOS meeting. He would be calling the first meeting of the local group on March 12th.
- Selectman Eliopoulos reported that the Senior Center had recently held some great information sessions on the senior pharmaceutical program.
- Selectman Eliopoulos inquired as to the progress of the Skateboard Park. Mr. Lynch responded that the space is graded and would be hot-topped as soon as the plant opens. Equipment had been picked out and will be put out to bid. The estimated opening date is sometime in May.
- Selectman Dalton inquired as to whether the Town Meeting Warrant will be mailed to Town Meeting Representatives. Mr. Lynch responded that the Finance Committee would have it sent out a couple of weeks ahead of Town Meeting.
- Selectman Dalton inquired as to the lights at the intersection of Old Westford Rd. and Davis Rd. Mr. Lynch said the lights were working with the shutters in place. They are visible from a distance. Selectman Dalton went on to point out that the drainage spilling across the intersection is creating a driving hazard. Mr. Lynch said the drainage line is blocked and needs to be reworked.
- Selectman Weisfeldt reported on the Sewer Commission meeting. Some projects were currently out to bid.
- Selectman Weisfeldt reminded everyone that Tuesday, March 7th was Presidential Primary day and encouraged everyone to get out and vote.
- Selectman Moran reminded the board that the Billerica Selectmen were still waiting for their ice-time at the Forum.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, March 20, 2000, at 7 pm. There being no further business the regular meeting adjourned at 10:00 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**March 20, 2000**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

Selectmen Meetings: February 14, February 28
Executive Session: February 14

**Town Manager Reports**

**Town Manager Appointments**

Conservation Commission

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:15 p.m. Nashoba Valley Technical School Committee Appointments
Joint Meeting with School Committee

7:30 p.m. Nashoba Valley Technical School Feasibility Study – J. Klimkiewicz, Superintendent
Joint Meeting with School Committee and Finance Committee

8:15 p.m. Discussion of Article 19, Annual Town Meeting Warrant
Joint Meeting with Planning Board

8:30 p.m. Discussion of Article 4, Special Town Meeting Warrant
Andrew Sheehan, Community Development Director

8:40 p.m. Discussion of Article 5, Special Town Meeting Warrant
Dennis McHugh, Town Moderator

**Unscheduled Business**

Orders of Takings & Easements – Crooked Spring Road Area, Phase 4B Sewers

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: April 10, 2000

## BOARD OF SELECTMEN MEETING MINUTES

## MARCH 20, 2000

A regular meeting of the Board of Selectmen was held on March 20, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

### APPROVAL OF MINUTES

BOS Meetings: February 14, February 28 -- BOS Executive Session: February 14

Selectman Eliopoulos made a motion to approve the minutes from the February 14th and February 28th regular meetings and the minutes from the executive session of February 14th. Motion seconded, minutes approved unanimously.

### TOWN MANAGER REPORTS

Unisphere Solutions Expansion

Unisphere Solutions is considering expansion in the Lowell/Chelmsford area. To do so, Unisphere would take advantage of tax incentive programs. To be eligible for these tax programs the Town will need to extend a corporate zone, requiring the approval of both Lowell and Chelmsford. There will be no net loss to the Town and the expansion should prove to create 200-300 new jobs where preference would be given to Lowell/Chelmsford residents. The board will be kept appraised of developments.

Water District Joint Meeting

An earlier joint meeting with the Water Districts had to be rescheduled because of a conflict for the Water Districts. The joint meeting was set for this evening, but due to the heavy agenda it will be rescheduled for another time.

Letter to Representative Carol Cleven

Mr. Lynch presented a letter to Carol Cleven outlining the priorities for the Town of Chelmsford and the position of the Town on a number of pieces of legislation. These points include:

- Additional Assistance/FY01 Budget
- Education Reform
- Special Education
- School Building Assistance Program
- North Road Traffic Lights
- Chapter 90 Funding
- Chelmsford Center
- MBTA
- Binding Arbitration
- Massachusetts Criminal Justice Training Council
- Disability Retirements
- State Revolving Loan Fund

Wireless Communication Legislation

Mr. Lynch provided the board with a review of the wireless communication legislation. The review includes the Town's bylaws, information from the MMA and the Conservation Law Foundation. The proposed legislation may be useful for those municipalities without bylaws but it doesn't serve the needs of Chelmsford.

Veteran's Administration Health Screening - Senior Center

Mr. Lynch announced a health screening and enrollment for veterans to be held March 22 from 2-6 pm at the Senior Center. Some of the tests include blood pressure, glucose levels, and Agent Orange exposure for any qualified veteran.

**TOWN MANAGER APPOINTMENTS**

Conservation Commission Appointment

Mr. Lynch appointed William Vine, 166 Pinehill Road to the Conservation Commission. Selectman Eliopoulos made a motion to approve the appointment of William Vines, 166 Pinehill Road to the Conservation Commission. Selectman McCall seconded, motion approved unanimously.

**SCHEDULED BUSINESS**

Nashoba Valley Technical School Committee Appointments - Joint Meeting with School Committee

Dennis McHugh opened the joint meeting of the School Committee and the BOS to hear the statements from and ask questions of the candidates for two regular and one alternate Nashoba Valley Technical School Committee positions. A vote is to take place at the next meeting on Monday, March 27. The candidates are as follows; Peter Bagni, Stratos Dukakis, Ralph Hulslander, and Sam Poulten.

After each of the candidates made a one-minute presentation, Selectman Moran asked them two questions. The questions concerned how to increase enrollment and what the greatest challenge to the school was. Peter Bagni, currently a member of the school committee, is seeking reappointment based on is past record and contributions to the community. He would expand enrollment by increasing the awareness of the student population at the middle school level with increased publicity from the guidance offices and open houses. Mr. Bagni feels that the greatest challenge to the school is keeping up with today's technological demands and maintaining equipment levels.

Stratos Dukakis feels his 28 years on the School Committee and broad financial experience will serve the committee well, especially in light of the recent renovation plans. He feels that enrollment could be increased through awareness generated with more open houses that showcase what the school offers. Mr. Dukakis stressed the need to improve the MCAS scores and increased enrollment as the biggest challenges facing the school.

Ralph Hulslander, Jr. brings to the position leadership experience, technical experience and community contacts. He would increase enrollment with more advertising and marketing directed at the 7$^{th}$, 8$^{th}$ and 9$^{th}$ grade levels. Increasing enrollment is the greatest challenge.

Sam Poulten is currently holding the seat vacated by the untimely death of Ted Lekas. Mr. Poulten shares the opinion that increased advertising from the 8$^{th}$ grade level on is necessary. He

feels that there are many challenges facing the school that are interrelated. Some of these include test scores and adequate educational resources.

Mr. McHugh thanked the candidates for their presentations and reminded everyone that the vote would be taken at the next BOS meeting on Monday, March 27th.

Nashoba Valley Technical School Feasibility Study - J. Klimkewicz, Superintendent - Joint Meeting with School Committee and Finance Committee

Judith Klimkewicz gave a presentation outlining the proposed renovation and expansion of the Nashoba Valley Technical School. Last spring Nashoba tech commissioned the Mount Vernon Group of Stoneham to conduct a feasibility study at a cost of $42,000. The study recommended three alternative plans to update the campus. A comprehensive plan would allow the school to take advantage of the School Buildings Assistance Program, through the Department of Education. The funding would be bonded and would allow for a 63% reimbursement from the program. The seven participating communities; Pepperell, Chelmsford, Townsend, Westford, Groton, Shirley and Littleton would fund the remaining 37%. The 30 million dollar renovation and upgrade includes:

| | |
|---|---|
| • Complete renovation of existing building | $20.6 million |
| • New science and technology wing | 3.9 million |
| • Telecommunication wing | 3.1 million |
| • New auditorium | 2.8 million |
| Total: | $30.4 million |

The division of the remaining 37% is based on a formula taken from the number of students attending Nashoba Tech. Chelmsford's portion would amount to 23% or $4.4 million over 25 years. The funding and proposal would need to be approved at Town Meeting. In order to be eligible for the 63% reimbursement a plan must be submitted by June 1st.

Ms. Klimkiewicz took questions from the Board and School Committee regarding the plan. Selectman Dalton questioned the veracity of rumors implying that the plan was subject to changes that would greatly reduce the overall cost. Ms. Klimkiewicz confirmed that the plans were going back to the drawing board with an eye towards cost cutting. She would have new numbers by Wednesday. Concerns were raised regarding the welfare of the students and the ability to conduct classes in the midst of such a renovation. Ms. Klimkiewicz answered that the students were used to things being in a state of flux and weren't affected by some dust. Of course, all safety measures would be taken. Both Clare Jeannotte and Judy Mallette raised questions regarding enrollment projections. Ms. Klimkiewicz responded that there were errors in the projections as they counted out-of-district placements. A member of the board inquired whether unanimous approval was needed from the participating communities to go forward with the plan. Ms. Klimkiewicz responded that technically it wasn't, however there would be restrictions placed on any community that voted against the project. They wouldn't be allowed access to any area affected by the renovation. In practical terms, a unanimous vote was necessary. Ms. Klimkiewicz concluded and told the board that she would advise them of any changes to the plan over the next couple of days.

Discussion of Article 19, Annual Town Meeting Warrant - Joint Meeting with Planning Board

Bob Morse, Planning Board chairman, took the podium and explained Article 19 of the Annual Town Meeting Warrant. To grant special permits the board needs to have a 5 of 7 vote. Those voting need to have attended all of the public hearings. An associate would come into play if an absence were known in advance. The associate would sit on the hearings and be available to vote on that particular issue. The Planning Board would like to have one associate elected to a 2-year term. Mr. Morse admitted that the associate's abilities were limited in scope, however, there had been cases where such an alternate would have been useful. Selectman Moran inquired whether the associate could be used in the case of a conflict of interest. Mr. Morse replied that it could. Selectman Dalton pointed out that there were currently two versions of the article. Selectman Eliopoulos inquired if one of the versions had been voted on. Out of respect to the Planning Board, he wanted to know which version the BOS should vote on. Mr. Morse said that the majority of the board agrees to one associate elected to a two-year term. Mr. McKenzie of the Planning Board took the podium and voiced opposition to the article siting the limited scope of an associate. He added that there was no real precedent for it. Selectman Weisfeldt thanked him for his comments.

Discussion of Article 4, Special Town Meeting Warrant - Andrew Sheehan, Community Development Director

Andrew Sheehan explained that Article 4 of the Special Town Meeting Warrant revises the wetland by-laws to bring them into conformance with case law. The changes are primarily housekeeping in nature. The Conservation Commission sponsors Article 4.

Discussion of Article 5, Special Town Meeting Warrant - Dennis McHugh, Town Moderator

Article 5 changes the number of meetings a Town Meeting Representative can miss before being terminated. At this time a representative must attend more than half. A dismissal can be appealed before a panel of three. The article reduces the number of meeting attended to just half the meetings. The article also eliminates the appeal process. Selectman Dalton questioned whether this was in fact bringing the process backwards. Mr. McHugh said that it wasn't and in fact loosened up the attendance requirements.

Vote to Post Town Meeting Warrant

Mr. Lynch read through the warrant articles one by one. Article 19 was amended to read: one Planning Board associate elected to a two-year term.

Selectman Eliopoulos made motion to post the Town Meeting Warrant as stated by the Town Manager including the amended Article 19. Motion seconded, motion to post warrant articles approved unanimously.

**UNSCHEDULED BUSINESS**

Orders of Takings & Easements - Crooked Spring Road Area, Phase 4B Sewers

Selectman Eliopoulos made a motion to approve the orders of takings and easements for Crooked Spring Road Area, Phase 4B Sewers. Motion seconded, motion approved unanimously.

## SELECTMAN REPORTS/REFERRALS

- At the request of Tom Christiano, Selectman Eliopoulos announced the Spring Celebration Benefit Concert to be held Saturday, April 1st and encouraged all to attend. Tickets are ten dollars.
- Selectman Eliopoulos brought up a situation on Rt. 110 where a paving company has been removing trees and leaving debris around. Mr. Lynch responded that Andy Sheehan had been sent out to look. The trees are not being removed in a wetland area. The town would look into having the firm plant some shrubs or create a natural screen in some other way.
- Selectman Eliopoulos reported on the special education hearing held at the State House. The main voice was most concerned with getting the most money for the communities rather than getting hung up on the actual formula. There has been some indication that if the Federal standard is met more money will be made available.
- Selectman Eliopoulos reminded the community of the importance of completing the census forms.
- Selectman Dalton inquired as to what was happening lately at the Mass Gravel site. Mr. Lynch responded that things had been quiet lately. Weston and Sampson recently conducted testing which was found to be satisfactory. Some new material was coming in and would be tested as usual.
- Selectman Dalton mentioned that some residents had complained of excessive speed on Crooked Spring Road and Penni Lane. Mr. Lynch said that it would be checked out.
- Selectman Moran reported on an article concerning the support of Senator Smith of New Hampshire for a commuter rail. Selectman Moran suggested sending Marty Meehan a thank you and following it up with a request for some monetary support of a commuter rail. Mr. Lynch said that the timing may be right to do some research into public support for such a venture.
- Selectman McCall reported that the library grand opening would be held on the 26th. He revisited the request for adequate crosswalk visibility. Mr. Lynch responded that the lines would be painted as soon as the weather permitted. As far as crosswalk cones go, State law limits where these cones can be used.
- Selectman Weisfeldt made a short speech on the occasion of his chairing his last full meeting. He thanked everyone for a good and productive year.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, March 27, 2000, at 7 pm. There being no further business the regular meeting adjourned at 10:55 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**March 27, 2000**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:15 p.m. Transfer of Common Victualer's License – Brothers Pizza

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: April 10, 2000

# BOARD OF SELECTMEN MEETING MINUTES

## MARCH 27, 2000

A regular meeting of the Board of Selectmen was held on March 27, 2000, at the Senior Center beginning at 6:45 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

### SCHEDULED BUSINESS

Attorney Robert Peterson - Rep. 17 Carleton Avenue Tax Lien Foreclosure/Owner of record: Patricia E. Allen

Attorney Robert Peterson came before the board representing Patricia E. Allen to request the redemption of the property at 17 Carleton Avenue following payment of back taxes. Selectman Eliopoulos asked if the payment would be in full and in what amount. Attorney Peterson said that it would be in full in the amount of $12,636.68 to date. The payment would be made within a couple of days.

Selectman Eliopoulos made a motion to approve the redemption of the property at 17 Carleton Avenue for a payment amount to be determined by the Town Manager. Selectman McCall seconded, motion approved unanimously.

Joint Meeting with School Committee and Town Moderator -- Nashoba Valley Technical School Committee Appointment

Dennis McHugh called to order the joint meeting of the School Committee and the BOS for the purpose of voting on the Nashoba Valley Technical School Committee Appointments.

Selectman McCall nominated Peter Bagni to the regular appointment. Nomination seconded. Peter Bagni appointed to the regular seat unanimously.

Selectman Dalton nominated Sam Poulton to the 2-year appointment. Selectman Moran seconded. Sam Poulton appointed to the 2-year seat unanimously.

Tony Volpe nominated Ralph Hulslander, Jr. to the alternate position. Selectman McCall seconded. Ralph Hulslander, Jr. appointed to the alternate seat unanimously.

Transfer of Common Victualer License - Brothers Pizza

Tharwat Boulis and Atef Boulos appeared before the board to request a transfer of Common Victualer license for Brothers' Gourmet Pizzeria at 55 Summer St.

Selectman Dalton requested clarification of the hours of operation as the application lists closing times of 10 or 11 pm. Mr. Boulis replied that at this point they weren't sure what the closing time would be but they wanted the flexibility to stay open until 11 pm.

Selectman Eliopoulos made a motion to grant a transfer of Common Victualer License to Tharwat Boulis and Atef Boulos for Brothers' Gourmet Pizzeria at 55 Summer St. for the hours of 10 am to 11 pm seven days a week. Selectman McCall seconded. Motion approved unanimously.

## UNSCHEDULED BUSINESS

Special Town Meeting Warrant Articles

Selectman Eliopoulos suggested voting on the Special Town Meeting Warrant Articles prior to the special meeting. The board decided to hold off on voting on Articles 1 (Nashoba Valley Tech. reconstruction and addition); 3 (Cemetery lot limits); and 5 (Town Meeting Rep. seat forfeiture) until more was heard in the Special Town Meeting.

Selectman Eliopoulos made a motion to approve Special Town Meeting Warrant Articles 2 (Cemetery expense transfer), 4 (Wetlands bylaws) and 6 (Penni Lane zoning change, RA to P). Motion seconded and approved unanimously.

## SELECTMAN REPORTS/REFERRALS

- Selectman Eliopoulos referred a request from George Merrill to put up a banner on the common to announce Conservation Week sponsored by the Coalition for Water Resource Management. Mr. Lynch said that Mr. Merrill's request could be accommodated if something were submitted in writing.
- Selectman Moran requested an update on the DPW study. Mr. Lynch said that he'd have one for the next meeting.
- Selectman Dalton asked whether the joint meeting with the Water Districts had been set up. Selectman Eliopoulos wondered whether it made sense to have the meeting after the water study was completed. Mr. Lynch said there were working on setting a date.
- Selectman Weisfeldt asked what was happening with the Forum. Selectman Dalton went on to ask about the Country Club. Mr. Lynch said that he would have a report on both at an upcoming meeting and it would contain financial information and information about use, among other items.
- Selectman Dalton asked if anything could be done about the unsightly pile of fill at the Highway Department. Mr. Lynch said that the fill was there until it was needed. The fill is used for various projects.
- Selectman Dalton asked if the Senior Tax Rebate Program could be made available to the disabled. Mr. Lynch responded that there weren't any provisions for it and he was concerned about the availability of civic projects. However, he added that he would check into it.
- Selectman McCall asked if the street sweeping had begun and if so, how it was organized. Mr. Lynch said that it had started with the main thoroughfares done first and then the side streets. The secondary roads are done in reverse order from year to year.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, April 10, 2000, at 7 pm. There being no further business the regular meeting adjourned at 7:20 pm.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**April 6, 2000**

**7:00 p.m. Call to Order - Pledge of Allegiance**

**Public Service Announcements**

**Approval of Minutes from Previous B.O.S. Meetings**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

Board Reorganization

**Unscheduled Business**

Warrant for Special Town Meeting - April 24, 2000

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: April 10, 2000

**BOARD OF SELECTMEN MEETING MINUTES**

**APRIL 06, 2000**

The reorganization meeting of the Board of Selectmen was held on April 06, 2000, at the Town Offices at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

**PUBLIC SERVICE ANNOUNCEMENTS**

Election Thanks

Selectmen Weisfeldt thanked all the candidates and voters that participated in the election on April 4th and congratulated Selectmen Eliopoulos and Dalton on their reelection to the Board.

**BOARD OF SELECTMAN APPOINTMENTS**

No appointments were made.

**SCHEDULED BUSINESS**

Board Reorganization

Chairman Weisfeldt commented on his pleasure in serving as Chairmen of the Board for the past year and thanked his colleagues on the Board as well as the Town Manager and staff for a successful year. Being the first meeting since the election he announced that it was time for Board to reorganize for the coming year. Selectmen Weisfeldt opened nominations for Chairman. Selectmen Moran nominated Phil Eliopoulos, motion seconded by Michael McCall and passed unanimously. Selectmen Eliopoulos nominated Tom Moran for Vice-Chair, seconded by Bill Dalton and passed unanimously. Selectmen Dalton then nominated Michael McCall for Clerk, seconded by Stuart Weisfeldt and passed unanimously. Following the reorganization vote, Board member took their new places and the meeting proceeded to unscheduled business.

**UNSCHEDULED BUSINESS**

Warrant for Special Spring Town Meeting (within annual) April 24, 2000

Mr. Lynch reported on the need for a Special Town Meeting within the Annual scheduled for April 24, 2000. He distributed the warrant and reviewed the two articles for Board approval and posting.

Article 1 is to see if the Town will vote to designate the property of Unisphere Solutions, Inc. located at One Executive Park, Chelmsford, MA as an Economic Opportunity Area, pursuant to Chapter 23A of the General Laws. Mr. Lynch explained that the article would allow Unisphere to take advantage of a State program for tax credits on personal property and that the agreement is structured so that the Town will be reimbursed for any lost taxes. Unisphere intends to add approximately 250 new jobs to the area.

Article 2 is to see if the Town will vote to amend the Fiscal Year 2000 Operating Budget as voted under Article 2 of the Annual Town Meeting held April 26, 1999. Mr. Lynch explained that this article is needed to increase the Undistributed Expenses budget line item. Undistributed expenses include such overhead costs as comprehensive disability and property insurance, employee benefits of health insurance, retirement contributions, unemployment compensation, sick time buy-back, and worker's compensation. Two areas of particular concern for the Town are the number of new members subscribing to health insurance, primarily from newly hired School Department employees, and the number of large claims in the past year. The Manager explained that the Town is self-insured for claims up to $75,000 and there have been a number of large, unpredictable claims. The Town will need approximately $300,000 to $400,000 to shore up this area of the budget. The Manager noted that this is an area of the budget he will be examining more closely in the coming years.

After a brief discussion of the articles Selectmen Moran motioned to approve the warrant as presented by the Town Manager, seconded by Mike McCall and passed unanimously.

There being no further business before the Board Selectmen Dalton motioned to adjourn, seconded by Michael McCall.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, April 10, 2000, at 7 pm.

Respectfully submitted,

John Coderre

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**April 10, 2000**

**7:00 p.m.** **Call to Order - Pledge of Allegiance**

**Public Service Announcements**

Arbor Day Proclamation – Chelmsford Garden Club
Chelmsford High School Wrestling Team

**Open Session**

**Approval of Minutes from Previous B.O.S. Meetings**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:30 p.m. Public Hearing - Pole Petition, Mass. Electric Company
Place 1 (one) Pole - Edgewood Road

7:35 p.m. Public Hearing - Joint Pole Petition, Mass. Electric & New England Telephone
Place 1 (one) Pole/Remove one (1) Pole – Pine Hill Road

7:40 p.m. St. Vartanantz Church - One-Day Liquor Licenses, Two Dates

7:45 p.m. Public Hearing - Street Acceptances: Bentas Place, Stage Road, Ann's Way

8:15 p.m. Transfer of Common Victualer's License – Antonio's Pizzeria

**Unscheduled Business**

Mary Long Memorial Fund Tribute - Pandora Busfield
Chelmsford Adult Day Care Program

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: May 15, 2000

***** This meeting is televised. *****

# BOARD OF SELECTMEN MEETING MINUTES

## APRIL 10, 2000

A regular meeting of the Board of Selectmen was held on April 10, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Arbor Day Proclamation - Cherie Palo

Selectman Moran read the Arbor Day Proclamation proclaiming Friday, April 28 to be Arbor Day. He encouraged all to plant a tree and participate in the Arbor Day activities. Cherie Palo of the Chelmsford Garden Club accepted the proclamation with thanks. She announced that activities would be held in the five elementary schools including an essay contest for the 2nd graders and a poster contest for the 3rd graders. The theme is "Trees: A Joy Forever". Certificates and ribbons would be awarded on Arbor Day. Trees will be planted at the Center School and a book on trees will be donated to each of the school libraries.

Chelmsford High School Wrestling Team

Selectman Weisfeldt congratulated the Chelmsford High School Wrestling Team on their second Division 1 State Championship win. He called each member of the team up to receive a certificate and congratulations from the Board.

Coach Rich thanked Mr. Lynch and the Board for their recognition. He made special note of the achievements of team members Dan Warshovsky, Andy Fleming and Brian Viglione. He also called attention to the fine work of team captains Andy Fleming, Chris Bishone, Dan Warshovsky and Steven Richard. He then pointed out that the team is both a credit to their parents and to the community.

## OPEN SESSION

Selectman Eliopoulos gave a special thank you on behalf of the Board to outgoing Chairman Weisfeldt. Selectman Weisfeldt was congratulated on bringing levity to the meetings in his tenure as Board chairman. He accepted a plaque, thanking the Board, Bernie Lynch, John Coderre and the support staff.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S MEETINGS

Minutes from March 20, March 27 and April 6

Selectman Moran made a motion to approve the minutes from the regular meeting minutes dated March 20, March 27 and April 6. Selectman McCall seconded, motion approved unanimously.

## SCHEDULED BUSINESS

Mary Long Memorial Fund Tribute - Pandora Busfield, Adult Day Care Program

Pandora Busfield, director of the Adult Day Care Program came before the Board to introduce a video in tribute to Mary Long in recognition of a memorial fund in her honor. Ms. Busfield has

directed the Adult Day Care Program, a supervised day program for seniors, for the past five years. Mary Long participated in the program until she passed away a year ago at the age of 85. Her family requested that money be left in Mary's name to the Day Program in lieu of flowers. The generous donations amounted to about $2,000, enough to refurbish a room at the Senior Center. Ms. Busfield thanked the Long family for their support of the program. Ms. Busfield thanked Eric Hoover for his hard work in putting together the video tribute to Mary Long's life. She also thanked Vilu Tari and Tom Peterson of the Cable Access Corp. for their aid in broadcasting the video. Ms. Busfield introduced and presented the video.

Public Hearing - Pole Petition, Mass. Electric Company - Place 1 (one) Pole - Edgewood Street

Dave Agrew of Mass Electric came before the Board to request approval to place one pole on Edgewood Street. Selectman Eliopoulos invited the public to come forward and speak to the request. Henry Mueller of 45 Dunstan Road asked for information pertaining to the pole placement. He wished to know if the wires were above ground. Mr. Agrew said that they were. Mr. Mueller is concerned that the placement of the pole will interfere with future plans for developing the property and putting in a driveway. Mr. Mueller was encouraged to check the marker stakes and get back to the electric company. Mr. Agrew said that it wouldn't be a problem to change the placement of the pole 5 to 10 feet.

Selectman Moran made a motion to approve the pole petition for the installation of a pole on Edgewood Street in accordance with plan #E-722 (dated 2/29/00). Selectman McCall seconded, motion approved unanimously.

Public Hearing - Joint Pole Petition, Mass Electric & New England Telephone - Place 1 (one) Pole/Remove one (1) Pole - Pine Hill Road

Kathy Frasier, New England Telephone, 28 Diana Lane, Dracut came before the Board to request approval of a pole petition for the placement of one pole and the removal of one pole on Pine Hill Road.

Selectman Moran made a motion to approve the pole petition for the installation of one pole and removal of another on Pine Hill Road in accordance with plan #971 (dated 3/2/2000). Selectman McCall seconded, motion approved unanimously.

Ms. Frasier went on to provide the Board with a double pole status report. Currently Bell Atlantic has 12 double poles for a total of 103. Removal of the remaining double poles is in the works. Selectman Dalton thanked her for all the hard work that's been put into the removal.

St. Vartanantz Church - One Day Liquor Licenses, Two Dates

Nona Juknavorian came before the Board to request a One-Day All-Alcohol License and a One-Day Beer and Wine License. The dates for these licenses are April 30 and May 7 respectively. Ms. Juknavorian said that arrangements have been made with Ted Flanagan for eight church members to attend a TIPS certification session on April 18th. Selectman Eliopoulos informed Ms. Juknavorian that the licenses would be held until proof of TIPS certification was provided. This is in accordance with the town liquor regulations. Ms. Juknavorian agreed to the terms.

Selectman Moran made a motion to approve a One Day All Alcohol License for April 30 from 2-8 pm and a One-Day Beer and Wine License for May 7 from 3-9 pm for the St. Vartanantz Church, 180 Westford Road conditional upon receipt of TIPS certification. Motion seconded and approved unanimously.

Public Hearings - Street Acceptances: Ann's Way, Bentas Place, Stage Road

Mr. Lynch proposed the street acceptance of Bentas Place, off Proctor Road, street length 528.54 feet, serving 4 lots with a width of 40 feet. Selectman Moran made a motion to approve the acceptance of Bentas Place, file # 96.04. Motion seconded, motion approved unanimously.

Stage Road is off Parker Road, extending the existing road by 413 feet, serving 2 lots with a variable width ending in a cul-de-sac. At this time a $10,000 bond is held. Streetlights still need to be put up.

Michael Andrews of 3 San Rosa Way expressed concerns about the acceptance. The residents on San Rosa have agreed to maintain the island. The San Rosa development group has put up a street sign but they would like a "private way" sign as well. Stage Road has drainage problems. A catch basin on the cul-de-sac seem to be cut away improperly and the water puddles rather than drains. Mr. Andrews made it clear that he didn't want to hold the process up but would like things done right.

Ann's Way serves three new lots and one existing lot. Its length is 704 feet with a R.O.W. of 40 feet. The bond is $11,000. Mr. Lynch said that abutters have concerns about some debris that's been left. Some reseeding needs to be done. At this time they are not ready to go forward with the acceptance but would like to hear from abutters.

Jim Bleck of 58 High St. came forward to say that there are plastic pipes and concrete and blacktop debris left. The overall grade is low and the curb seems to be unsupported. A steel marker stake is sticking out of the wall about 12 inches on a down slope. This is a hazard. Also a big tree has come down over the weekend. Mr. Lynch suggested tabling the acceptances of Stage Road and Ann's Way until the next meeting on April 24th.

**TOWN MANAGER REPORTS**

Town Meeting

Preparations are underway for Town Meeting. A status report on the Forum and Golf course is forthcoming, as well as a report concerning the DPW study.

Skateboard Park

The pavement is down and a fence is going up. Prices for equipment are being researched.

Audit

Selectman Weisfeldt inquired whether an audit was conducted. Mr. Lynch responded one had been done and a presentation would be given sometime in May.

**UNSCHEDULED BUSINESS**

Town Meeting Warrant Articles

Mr. Lynch read through the Town Meeting Warrant Articles for the purpose of the Board voting to approve them.

Art.1 Hearing Reports

Art.2 Budget - It was indicated at the last meeting that an additional $140,000 would go towards the school budget. There has been an increase in the Chapter 70 aid which amounts

to about $140,000 for Chelmsford. This money will go towards the school budget. Any additional money that will go towards the general budget will come from changes in state aid. Some of the numbers in the line items are being fine-tuned.

Art.3 Budget transfer - A transfer from the Wetlands Special Reserve fund.

Art.4 Sewer Betterment Fund transfer

Art.5 Sewer Rate Relief

Art.6 Transfer of $200,000 from Stabilization Fund to balance the Operational Budget. It is thought that the need for this article will be eliminated.

Selectman Moran made a motion to approve Articles 1-5. Selectman McCall seconded, motion approved unanimously.

Art.7 Appropriate Reserve Fund

Art.8 Transfer from graves and lots to improvement fund.

Art.9 Audit - $19,000

Arts. 10 & 11 Capital Planning and Portable Classrooms - A Capital Planning Meeting is set for Thursday. It would be best to hold off a vote on this until after this meeting.

Art.12 Highway yard adjacent land purchase - $25,000

Selectman Moran made a motion to approve Articles 7,8 and 9. Selectman McCall seconded, motion approved unanimously.

Art.13 Senior Tax Rebate Program - $20,000

Art.14 Late Bills-existence of any is unclear at this point

Art.15 Street acceptances: Bentas Place, Stage Road, Ann's Way

Selectman Moran made a motion to approve Articles 12 and 13. Selectman McCall seconded, motion approved unanimously.

Art.16 Senior Trip Program, revolving fund

Art.17 Willis Road and 12th Avenue Improvements

Art.18 Rezoning a parcel of land on North Road from SR (Single Resident) to CD (Commercial Development

Selectman Moran made a motion to approve Articles 16 and 17. Selectman McCall seconded, motion approved unanimously.

Art.19 Charter change for Planning Board to create on elected associate member position.

Art.20 Rezoning of property to CD (Commercial Development) for the purpose of opening a car dealership. The Planning Board has yet to vote on this proposal.

Selectman Moran made a motion to approve Article 19. Selectman McCall seconded, motion approved unanimously.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Weisfeldt urged the Town Manager to preserve the Stabilization Fund and look for other sources for the $200,000. The Stabilization Fund is very important and plays a big role in keeping the good bond rating. Mr. Lynch agreed. Tremendous gains have been made to increase the funds over the last 7 or 8 years. There were no plans to draw upon it this year and the hope is that it can be avoided.

- Selectman McCall brought up resident concerns about the sidewalk on School Street. Trees are growing up under the sidewalk. Mr. Lynch responded that at this time it wasn't on the planned list but he would send someone out to look to see what stopgap measure could be taken.
- Selectman McCall said that the Disability Commission has two openings.
- Selectman Moran asked about the Town Resource Book. Mr. Lynch said that they were behind about a month and would like to have it done at the beginning of July.
- Selectman Moran asked if there was a possibility that the flagpole in the center of town could be repainted. The pole is in poor condition. Mr. Lynch said he would look into it.
- Selectman Moran asked about Town Clean-Up. He hadn't heard much about it and was wondering if it would be taking place this year. Mr. Lynch said that it was and some publicity would be done to advertise it.
- Selectman Moran requested a letter be written voicing opposition to the wireless communication bill. The Town currently has by-laws addressing this issue and the concern is that the legislation would override the town by-laws. Selectman Moran made a motion to send a letter addressing concerns over the wireless communication legislation. Motion seconded and approved unanimously.
- Selectman Moran said that brush is blocking the view on Davis and Westford Road. He wondered if a by-law existed that gave power to the town to cut it down. Selectman Dalton asked if the resident had been approached. Mr. Lynch said that the resident has been approached and has agreed to do it. He went on to say that in most cases residents have been very cooperative about this kind of thing.
- Selectman Moran asked about the Golden Cove Road flashing light. Mr. Lynch said that the Town has been working with commercial properties to raise the money to fund the light. Selectman Moran was pleased to hear that this will get underway in the near future.
- Selectman Moran expressed concern about the left-turning lane on Wilson Street. Mr. Lynch said they hoped to put two lanes in to take care of the problem.
- Selectman Moran asked when the Warrant Articles were going up on the web. Mr. Lynch said the books have been sent. Along those lines, Selectman Weisfeldt asked whether the BOS agenda was posted on the web site. Mr. Lynch said that there were issues concerning site maintenance. At this time there is only one MIS person. The other issue is that the agenda is generally in flux until right before the meeting.
- Selectman Dalton thanked everyone who came out to vote. The turnout was a bit disappointing. Change can't be affected from the outside.
- Selectman McCall asked about a bill before legislature concerning trapping. A position hasn't been taken yet regarding this legislation. There have been problems in E. Chelmsford mostly and on Brick Kiln Road. The issue is ongoing.

- Selectman Eliopoulos voiced concern about the progress of the Center Project. Mr. Lynch said they were still looking to get it funded. It's at the 75% design stage. An autumn start date remains the goal.
- Selectman Eliopoulos had a meeting with the construction teams vying for the Route 3 contract. The state will pick a team on April 25th. He would like to set a meeting in May with the team that is selected.
- Selectman Eliopoulos asked the Board to start thinking about which liaison positions they were interested in taking on.

**NEXT REGULAR MEETING**

Selectman Eliopoulos made a motion to go into executive session for the purpose of discussing collective bargaining. The motion passed unanimously by roll-call vote as follows: Weisfeldt-Aye, McCall-Aye, Moran-Aye, Eliopoulos-Aye, Dalton-Aye. The next meeting is scheduled for Monday, April 24, 2000, at 7 pm. There being no further business the regular meeting adjourned at 9:15 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**April 24, 2000**

**6:30 p.m.** **Call to Order—Pledge of Allegiance**

**Executive Session**

Litigation Status Report – J. Giorgio, Kopelman & Paige

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**Unscheduled Business**

Discussion of Street Acceptances - Status of Ann's Way, Stage Road
J. Pearson, Town Engineer

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: May 1, 2000

**BOARD OF SELECTMEN MEETING MINUTES**
**APRIL 24, 2000**

A regular meeting of the Board of Selectmen was held on April 24, 2000, at the Senior Center beginning at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, and Tom Moran. Selectman McCall was not present at the meeting. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## SCHEDULED BUSINESS

Street Acceptances - Status of Ann's Way, Stage Road J. Pearson, Town Engineer

Jim Pearson discussed the status of Ann's Way and Stage Road. James Bleck, an abutter, had expressed concerns about a fallen tree and the repair of damage by the tree on Ann's Way. The tree has been removed and cleaned up, and a pole sticking out of the ground and some debris was removed. The $11,000 bond is being held. Mr. Pearson recommended the acceptance of Ann's Way.

The island on Stage Road will be maintained by San Rosa which is a private way. There were concerns about a puddle. The puddle forms where the pavement of Stage ends and San Rosa begins. Once San Rosa is paved the puddle won't be an issue. San Rosa will get a Private Way sign. A $10,000 bond is being held. Mr. Pearson recommended approval of Stage Road.

Selectman Moran made a motion to approve Article 15. Selectman Dalton seconded, motion approved unanimously.

Selectman Dalton passed along Berkeley Popplewell's complaints concerning the condition of his grass after the work done on Dalton Road. Mr. Pearson said that this was first on his list of concerns and that it would be taken care of. Selectman Dalton said he would stop by the following morning to check on the condition of the yard.

## UNSCHEDULED BUSINESS

Town Meeting Warrant Articles

Mr. Lynch withdrew Article 6, which was to tap the stabilization fund for $200,000. The need to do this has been eliminated.

In Article 10, a number of items have been eliminated including improvements to the electrical, fire alarms and heating system. The technology budget now stands at $50,000.

Article 11 includes funding for portable classrooms for the South Row and McCarthy schools. The total is $660,000.

Selectman Moran made a motion to vote the Board's support for Articles 10 and 11 of the Town Meeting Warrant. Selectman Dalton seconded, motion approved unanimously.

Article 14 is to pay late bills. An amount of $4,346 goes to pay an electric bill to Select Energy. Selectman Moran made a motion to vote support for Article 14 of the Town Meeting Warrant. Selectman Dalton seconded, motion approved unanimously.

Article 18 is a zoning change for the Currie property. Selectman Moran made a motion to vote support for Article 18 of the Town Meeting Warrant. Selectman Dalton seconded, motion approved unanimously.

Mr. Lynch recommended not approving Article 20. Selectman Moran made a motion to vote not to recommend approving Article 20. Selectman Dalton seconded. Motion approved unanimously.

Special Town Meeting Warrant

The board had voted to approve the Special Town Meeting Warrant at the previous meeting.

**TOWN MANAGER REPORTS**

Mr. Lynch reminded the board that perambulation with the Billerica Board of Selectman was scheduled for 12:30 pm on Saturday. He suggested that they meet at 11 am and conduct some liquor store regulation compliance spot checks prior to perambulation.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Eliopoulos brought to the attention of the board a request from Howard Hall to approve an agreement on the preservation restrictions pending the approval of Art. 18 at the Town Meeting. The document states that they accept the preservation restrictions for the use of the building. For example, it couldn't be used for retail, or food, etc. Selectman Eliopoulos pointed out that the business community supports the project. Selectman Eliopoulos passed the document on to John Giorgio.
- Selectman Eliopoulos asked what the situation was with the closing and re-opening of the Garlic Bistro. He was specifically interested in whether there had been a change in manager. Any change in manager needs to be approved by the board. Selectman Dalton recommended sending an officer in with the current license and doing a spot check.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, May 1, 2000, at 7 pm. There being no further business the regular meeting adjourned at 7:20 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**May 1, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Town Wide Clean Up, Saturday, May 6 - Alison McKay, Conservation/Recycling Officer

Proclamation for Drinking Water Week in Chelmsford – Jean Rook

Awards of Appreciation - A. Volpe, J. Matzkin, K. Fisher

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:15 p.m. Auditor's Report - Brown & Barrett
Joint Meeting with School Committee & Finance Committee

7:30 p.m. Public Hearing - Joint Pole Petition, Mass. Electric & New England Telephone
Place 1 (one) Pole – Alpha Road

7:35 p.m. Public Hearing - Petition for Conduit Location – New England Telephone
Place 3' of Underground Conduit – Technology Drive

7:40 p.m. Public Hearing - Application for Common Victualer License
WalMart Stores Inc. – 66 Parkhurst Road

7:45 p.m. Public Hearing - Application for Storage of Flammable and Combustible Liquids and Gases – WalMart Stores Inc.

7:50 p.m. Public Hearing - Joint Pole Petition, Mass. Electric & New England Telephone
Place one (1) Pole – Edgewood Street

8:00 p.m. Public Hearing - Application for Transfer of Gas Storage License
Mark Landry, Middlesex Materials

***** This meeting is televised. *****

**Unscheduled Business**

Application for Auctioneer's License - Robert Ramaska, Oakham, MA

Orders of Takings - Crooked Spring Road Area, Phase 4B Sewers

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: May 22, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**MAY 1, 2000**

A regular meeting of the Board of Selectmen was held on May 1, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Town Wide Clean Up, Saturday, May 6 - Alison McKay, Conservation/Recycling Officer

Alison McKay announced Annual Town Wide Clean Up Day to be held Saturday, May 6 from 9 am - 12 pm. Those interested in participating can contact the Recycling Office for more information. A party will be held at the Lodge of Elks following the clean up.

Proclamation for Drinking Water Week in Chelmsford

Selectman Moran read a proclamation proclaiming the week of May 7 - May 15 Drinking Water Week. The purpose of this week is to increase awareness and instill a sense of conservation. This is a community wide issue not a district issue.

Awards of Appreciation - A.Volpe, J. Matzkin, K. Fisher

Selectman Eliopoulos presented Kathryn Fisher and Jaclyn Matzkin with awards of appreciation and thanks from the Town for their efforts as Library Trustees from 1996 to 2000.

Tony Volpe will be presented with his award at the May 22nd meeting as he was not present.

## SCHEDULED BUSINESS

Auditor's Report - Brown & Barrett -- Joint Meeting with School Committee & Finance Committee

Bob Brown and Steve Barrett of Brown & Barrett came before the board to present the Auditor's Report. Brown & Barrett has done the audit for Chelmsford for a number of years. Once again they have found the town's financial audit to be satisfactory. In fact, among their twenty-five municipal clients, Chelmsford does the best job of reconciling cash and receivables. The findings of the purely financial audit are presented in a report divided into three sections; general purpose, OMB Circular A-133, and a management report letter. The primary focus is on internal controls in the areas of expenditures, cash accounts and property tax receivables. Some highlights include $9.5 million bonded for capital projects and $1.2 million to the stabilization fund. Both are looked upon favorably when the bond rating is calculated. The Financial Accounting and Treasury Collection office do their jobs well. The ice rink, golf course and school lunch program have excellent controls and back-up procedures.

The purpose of the management report is to highlight weaknesses and deficiencies with recommendations on how to correct them. The recording of unapportioned sewer betterment contracts was not included as of the date of the report, which was January. This has since been resolved. Sample procurement transactions were sent through the school system and found the process to be a bit slow. The process could be a little more efficient and streamlined. This is probably a matter of filing more than anything.

There have been changes as of 1998 to the rules pertaining to the accounts school principals can have in their names. This is not the first year that this has been included in the management report. There are also some deficiencies in different Student Activities accounts

The Office of Community Education, the Childcare Program and Adult Education, while the revenue stream is relatively small, needs to be buttoned up and pulled together. The computer accounting system needs to be brought up to date so that records can be drawn and maintained with more efficiency.

The School Department takes in a large amount of daily receipts from a great number of sources. Timely deposits and weekly deposits are not always there. This is primarily due to geography. Cash receipt deposit practices need to be centralized.

For a municipality with $75 million in revenue the items in the management report are minor. Cash receipts are reconciled very well. The floor was opened up to questions from the board, school committee and finance committee.

Public Hearing - Joint Pole Petition, Mass. Electric & New England Telephone -- Place 1(one) Pole-Alpha Road

Joseph Gleason, Right of Way Agent for Bell Atlantic came before the board to request a pole petition to be placed on Alpha Road. There is a new building going in at 285 Billerica Road and this pole will accommodate service for the site.

Selectman Moran made a motion to approve the Mass. Electric Co. plan #973 (dated 3/21/2000) to install one utility pole on Alpha Road. Selectman McCall seconded, motion approved unanimously. Selectman Dalton was not present for the vote.

Public Hearing - Petition for Conduit Location - New England Telephone -- Place 3' of Underground Conduit - Technology Drive

Joseph Gleason, Right of Way Agent for Bell Atlantic, came before the Board to request approval for the placement of 3 feet of underground conduit on Technology Drive.

Selectman Moran made a motion to approve Mass. Electric Co. plan #975 (dated 4/5/2000) to install underground conduit. Selectman McCall seconded, motion approved unanimously. Selectman Dalton was not present for the vote.

Public Hearing - Application for Common Victualer License -- WalMart Stores Inc. - 66 Parkhurst Road

Trysh Reitmeier of WalMart, represented by an attorney, came before the Board to request a common victualer license. WalMart at 66 Parkhurst Road has an opening date set for May 17th. Mr. Lynch said that the food service permits had been obtained. The occupancy permits and ADA compliance approval is still pending. This is generally the last step.

Selectman Moran made a motion to approve a Common Victualer License for WalMart Stores, Inc., 66 Parkhurst Road from the hours of 7am - 10pm, Mon.-Sat. and 8am - 8pm on Sundays subject to receiving an occupancy permit and ADA approval. Selectman McCall seconded, motion approved unanimously.

Public Hearing - Application for Storage of Flammable and Combustible Liquids and Gases - WalMart Stores Inc.

Trysh Reitmeier of WalMart, represented by an attorney, came before the Board to apply for a license to store Flammable and Combustible Liquids and Gases. The Fire Chief has approved the license. Ms. Reitmeier said that they had obtained a permit but they exceeded the parameters of the permit and needed a license. She pointed out that there were many items considered flammable besides the obvious, for instance spray paint and hairspray.

Selectman Moran made a motion to approve the application for Storage of Flammable and Combustible Liquids and Gases for WalMart Stores, Inc., 66 Parkhurst Rd. Selectman McCall seconded, motion approved unanimously.

Public Hearing - Joint Pole Petition, Mass. Electric & New England Telephone -- Place one(1) Pole - Edgewood Street

Joseph Gleason, Right of Way Agent for Bell Atlantic, came before the board to request approval for a joint pole petition on Edgewood Street. The petition designates the placement of two new poles, one of them on private property. Because of its location on the curve of the road it will be placed on the opposite side of the street from the pumping station. Selectman Eliopoulos invited any interested parties to make their concerns known.

Tony Francalangia, 15 Edgewood St. came forward and asked Mr. Gleason what the exact location of the pole was. He was concerned that the pole would be placed on his lawn. When the sewer lines were connected that was to be the location. He also wanted to know where the guy lines were going. Mr. Gleason said that the pole was to be located directly across from the pumping station where there seemed to be trees and brush. Mr. Francalangia said that this was fine. Mr. Gleason suggested to the board that the matter be tabled until the next meeting. This would give the opportunity to verify the pole location and completely allay Mr. Francalangia's concerns. The board tabled the petition, holding the public hearing open until the next meeting scheduled for May 22nd.

Public Hearing - Application for Transfer of Gas Storage License -- Mark Landry, Middlesex Materials

Mark Landry of Middlesex Materials Inc. came before the board to request a transfer of Gas Storage License. The need for a transfer stems for a change in name from Black Cove Realty Trust to Middlesex Materials, Inc. Aside from the name the contents of the license remain the same. The Certificate of Insurance is in order but Mr. Landry must obtain a copy of the latest Inspection Report. Mr. Lynch inquired whether Mr. Landry would be willing to have a new fire inspection. Mr. Landry said that would be no problem.

Selectman Moran made a motion to approve a transfer of Gas Storage License for Middlesex Materials, Inc. from Black Cove Realty Trust for the above ground storage of 50,000 gallons of liquid asphalt and 25,000 gallons of light fuel oil pending a new inspection. Selectman McCall seconded, motion approved unanimously.

## UNSCHEDULED BUSINESS

Application for Auctioneer's License - Robert Ramaska, Oakham, MA

Mr. Lynch brought forward a request for a One-Day Auctioneer's License for Robert Ramaska of Oakham, MA. Selectman Moran made a motion to approve a One-Day Auctioneer's License for Robert Ramaska of Oakham, MA for Saturday, June 3, 2000 from 10am - 6pm at 12 Park Place, Chelmsford for the sale of antiques and collectibles. Selectman McCall seconded, motion approved unanimously.

Orders of Takings - Crooked Spring Road Area, Phase 4B Sewers

Selectman Moran made a motion to approve two orders of taking for the Crooked Spring Road Area for Phase B Sewers. Selectman McCall seconded, motion approved unanimously.

## TOWN MANAGER REPORTS

Lowell/Nashua Rail Service

Mr. Lynch reported that he has been in contact with the State on Lowell/Nashua Rail Service. Letters have been written to Marty Meehan and Reps. Cleven and Fargo. Selectman Moran spoke with Rep. Cleven and asked for a feasibility study from Secretary Sullivan. Selectman Eliopoulos questioned whether it made sense to have a public meeting to gauge support for this project early in the process. Mr. Lynch said that it would be a good idea as there could be resident concerns.

Center Project

The Center Project has been submitted and is moving forward. Academy Street will need to be approved as a two-way street. Other planned improvements to the Center include repainting the flagpole, landscaping, period lighting and other cosmetic improvements. The end result will be a very positive one. Selectman Moran asked if a one-page project plan could be drawn up that would outline all the hurdles that need to be overcome along the way. Mr. Lynch said he would prepare such a document.

Littleton Road

The clearing is complete at the site. The site is being looked at to be sure that it is in compliance and that it gets seeded. Some zoning issues are being addressed. Selectman Eliopoulos took the opportunity to make a correction. Mass Paving does not own the property as reported at a previous meeting.

Freeman Lake

Freeman Lake is proposed to have a drawn down of 6 inches. Mr. Lynch provided a history of this project and advised the Board that Weston & Sampson is contracted to assist wit the permitting through the MEPA. It is hoped that the project can begin in the Fall of 2001. Selectman Dalton asked if the dam had been fixed because there were reports of leaking. Mr. Lynch said some seepage is not unusual, but he would send someone out to look.

Trapping Legislation

There has been some language included in the current draft of the bill to include rodents (beavers are rodents). The bill will likely end up in conference committee. Selectman McCall asked who residents should contact if they have a problem with beavers. Mr. Lynch said they should contact the State.

Wireless Communication

The wireless communication bill proposal hasn't been filed yet. Mr. Lynch said that they were on record as not supporting the legislation.

Golden Cove Road

Approximately $110,000 has been raised by the area businesses towards lights on Golden Cove Road. The project should be in the design stage within the next several months.

DPW Project Status Report

Mr. Lynch read a list of pending DPW projects:

- Rebuild the Hunt/Garrison Road intersection
- Catch basins on Middlesex St.
- Extend sidewalk on Dalton Road
- Long-term - Golden Cove Road sidewalks
- Reconstruct sidewalk on Middlesex St.
- Skateboard Park
- Southrow Tennis Courts - resurfacing
- Willis Drive
- Culverts - Stony Brook Road
- Acton Road reconstruction
- Freeman Lake spillway alteration
- Pineneedle Road - drain extension and upgraded drainage systems
- Moving of a war monument. (Selectman Moran suggested rededicating the monument on Memorial Day)
- Varney tennis courts - resurfacing
- Consolidate DPW facility
- Southwell Field building
- Old Town Hall air conditioning installation on the second floor

The final reports on the DPW study would be presented at the next meeting. The Water District study would also be presented.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Dalton attended the RCN meeting and felt it had gone well. He asked Mr. Lynch when the next meeting was schedule. Mr. Lynch said that the meeting would be held May 17.
- Selectman Dalton asked about the progress to finish the work on the property at 168 Dalton Road. Mr. Lynch responded that they were going out to finish the loaming and seeding at the site.
- Selectman Dalton asked about Pineneedle Road. Jim Pearson has spoken with the resident and apparently the leeching system is not working. It either needs to be rebuilt or reconnected. Reconnection would be the best course and the resident is supportive of the project.
- Selectman Moran mentioned that MediaOne Cable rates are going up June 1st, possibly by 6%. In the interest of competition he hoped the RCN negotiations were moving along. Mr. Lynch responded that the public hearing would be held sometime this summer.
- Selectman Moran reported that they had performed spot checks at some of the area liquor stores. Some stores were found with conditions that do not conform to licensing regulations. He requested that those not in compliance be brought before the board at the next meeting to address these concerns.
- Selectman Moran asked Mr. Lynch for details about the upcoming Student Government Day. The event would be held on Friday at the Town Offices. A mock Town Meeting would be conducted giving the students an opportunity to engage in healthy debate and examine issues from varying perspectives.
- Selectman McCall attended an event held by Congressman Meehan concerning the Patients Bill of Rights. While there he had an opportunity to talk about the center lights and emphasize the importance of having this project underway before the Route 3 project begins. He would check back in with Transportation Secretary Kevin Sullivan about the funding.
- Selectman McCall asked about the progress on the sidewalks on School St.. Mr. Lynch responded that Jim Pearson had been out to look at the area and was seeking a solution that would improve the quality of the sidewalk while preserving the trees.
- Selectman Weisfeldt asked why the push pole on Davis Road was still there. Kathy Frasier said that it would be taken care of and that she would provide an update at her next meeting appearance. Mr. Lynch said he would get a status report.
- Selectman Weisfeldt announced the production of West Side Story would be going up at the high school that weekend. Tickets to the Saturday night show were already sold-out.
- Selectman Eliopoulos announced a Fashion Show to be held at the Radisson on Thursday May 18th to support the Rape Crisis Center. Along with professional models, some local personalities were participating in the show.

- Modern Continental has been given the Route 3 project contract, reported Selectman Eliopoulos. There was a meeting scheduled for Thursday between the contractors and the community liaisons.

- Selectman Eliopoulos said that he had received a call from someone concerned with the stance the board had taken on the SPED formula. They feel that there is information that the board is lacking and would like the opportunity to present the information. Evelyn Thoren of the School Committee suggested that the board read the large report on the subject. Selectman Eliopoulos emphasized that the goal of the board is to get behind the plan that will provide the greatest funding for the town.

- Selectman Eliopoulos reappointed Jim Good to the position of LRTA liaison. He then suggested inviting him in to report on the LRTA.

- Selectman Weisfeldt said that perambulation with Billerica had gone well and the Billerica board was pleased with their hour of skating at the Forum.

- Selectman Eliopoulos wondered if there was definite information on who was moving into the Route 3 Cinema property. Mr. Lynch said that he didn't but did know that 18 parking spaces would be dedicated to the Bike Trail.

- In response to a gun incident in Wellesley, Selectman McCall questioned whether there were any bylaws preventing people from carrying concealed weapons at a public meeting such as Town Meeting. Selectman Dalton said that licensing for concealed weapons was pretty restrictive. Mr. Lynch said that he would check on whether there was anything specific about carrying firearms in public meetings.

**NEXT REGULAR MEETING**

Selectman Moran made a motion to go into a brief executive session for the purpose of discussing the deployment of security personnel. The motion was seconded and passed unanimously by roll call vote as follows: Weisfeldt-Aye, Moran-Aye, McCall-Aye, Eliopoulos-Aye, Dalton-Aye. The next meeting is scheduled for Monday, May 22, 2000, at 7 pm. There being no further business the regular meeting adjourned at 9:00 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**

**MEETING AGENDA**

**May 16, 2000**

**12 Noon**

**Town Manager Bids/Contract Awards**

I. Collection and Transportation of Solid Waste & Recycle Material

II. Merrimack River Trail at Southwell Park

III. Design and Construction of Skateboard Park

**BOARD OF SELECTMEN MEETING MINUTES**
**MAY 16, 2000**

A special meeting of the Board of Selectmen was held on May 16, 2000 at the Town Offices beginning at 12 Noon. Board members present were Selectmen Philip Eliopoulos, Michael McCall, Tom Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

**Town Manager Bids/Contract Awards**

Town Manager Bernard Lynch announced that he would be awarding three bids at this meeting.

1. Collection and Transportation of Solid Waste, Recycling and Leaf Collection (5-Year Contract)

Two companies, Waste Management of Londonderry, NH and Russell Disposal of Somerville, MA submitted bids for this award. The low bidder, Russell Disposal, bid $3,263,400 for FY 2001-2005 vs. Waste Management's $3,956,000. Waste Management currently holds this contract with the Town. Mr. Lynch recommended awarding the bid to Russell Disposal.

Selectman Moran made a motion to approve the bid for Town of Chelmsford Collection and Transportation of Solid Waste, Recycling & Leaf Collection to Russell Disposal. Selectman McCall seconded the motion. Motion passed unanimously. Mr. Lynch awarded the contract to Russell Disposal.

Chairman Eliopoulos mentioned issues pertaining to the transition to a new trash collection company. Mr. Lynch stated that all of the communities currently being served by Russell Disposal gave them very good marks. There will be a performance bond and a fine stipulation in the contract to guarantee a high level of service. Mr. Lynch added that the Town would attempt to work with Waste Management to ensure the continuity of routes and pick up times wherever possible. He added that residents will be informed that a new company is being used through press coverage, discussion at upcoming televised meetings, and information to be published in the next issue of "Chelmsford Recycles."

2. Merrimack River Trail at Southwell Park

Nine companies submitted bids to construct a walking trail about ¾ mile in length winding through Southwell Park along the Merrimack River. The Town has built a playground at this location. The next phase is to construct a walking trail to be completed by the end of June, 2000.

The low bidder was Northern Construction Service of Palmer, MA at $31,542. Mr. Lynch recommended awarding the bid to Northern Construction Service. Selectman Moran made a motion to award them the bid for the walking trail. Selectman McCall seconded the motion. Motion passed unanimously. Mr. Lynch awarded the bid for construction of a walking trail at Southwell Park to Northern Construction Service.

3. Design and Construction of Skateboard Park

Three bids were received for the design and construction of a skateboard park in Chelmsford. The total cost for the park is $60,00 which includes hot top, fencing, and the skateboard equipment. The low bidder for the equipment portion is SPC Skateparks of Wells, Maine, for an amount not to exceed $40,000.

Selectman Moran made a motion to award the design and Construction of a Skateboard Park to SPC Skateparks. Selectman McCall seconded the motion. Motion passed unanimously. Mr. Lynch awarded the bid to SPC Skateparks.

There being no further business, the meeting was adjourned at 12:35 p.m.

Respectfully submitted,

Janet Murphy

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**May 22, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Award of Appreciation - A. Volpe, Chelmsford School Committee

Korean War Armistice Day - July 27, 2000
John Hipson, Greater Lowell Korean War Veterans Association

Varney Park Build Week - Trish Kahl
Varney Park Restoration Committee

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

Board of Selectmen: April 24, 2000

Executive Session: April 24, 2000

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:30 p.m. Public Hearing - Joint Pole Petition, Place One (1) Pole
Clover Hill Drive

7:35 p.m. Cedar House - Signage, Floor Plan Layout – Installation of Partition

7:50 p.m. Continuation of Public Hearing – Joint Pole Petition, Edgewood Street
Place One (1) Pole

***** This meeting is televised. *****

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

Ciro's Restaurant

**Next Regular Meeting**: June 5, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**MAY 22, 2000**

A regular meeting of the Board of Selectmen was held on May 22, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Award of Appreciation - A. Volpe, Chelmsford School Committee

Tony Volpe was presented with an award of appreciation for his hard work and dedication to the community during his tenure as School Committee member and chair. Mr. Volpe accepted his award with thanks and stated that he would continue to work to support the children and schools of Chelmsford. He reminded the public that his education hotline would continue to exist and hoped the community would take advantage and call with both school and community concerns. He hoped the board would remain vigilant especially in the areas of special education, building needs and the budget.

Korean War Armistice Day - July 27, 2000, John Hipson, Greater Lowell Korean War Veterans Association

John Hipson came before the board seeking support for the recognition of a ceremony to commemorate the 50th anniversary of the Korean War and honor the veterans thereof. There are 13 area communities involved in the project. They wished to have a flag raising and lowering on July 27th at 8 am. This celebration is running from the year 2000-2003 only, unless it is made a permanent holiday.

Selectman Moran spoke in support of the proposal. He made a motion to celebrate the Korean War Armistice Day for the next three years on July 27th and to recognize it with a proclamation at a meeting prior to the event. Motion seconded, motion approved unanimously.

Varney Park Build Week - Trish Kahl, Varney Park Restoration Committee

Trish Kahl and her daughter Rebecca came before the board to speak on the efforts of the Varney Park Restoration Committee to rebuild the park playground. The group was started in 1998 with Mr. Lynch's support. As of this week, the group has raised 95% of the project's total budget. The remaining $5,000 is to support the long-term care and maintenance of the playground. There is one spot left on the corporate plaque. Pickets are still available for individual donations at $20 a picket. Varney Park is located on Freeman Lake in North Chelmsford off Vinal Square. "Build Week" is set for next week to build the playground from the ground up through the efforts of volunteers. Hundreds of volunteers are currently committed with hundreds more needed. The group is asking for volunteers to commit to a four-hour shift. Free babysitting is available with activities for the kids. This is a wonderful project that is not only building a playground but also building community. Mr. Lynch commended Ms. Kahl and the committee for their hard work and dedication. The town has committed $20,000 towards the project. He urged everyone to come down and get involved.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman: April 24, 2000, Executive Session: April 24, 2000

Selectman Moran made a motion to approve the minutes from the regular meeting and executive session of April 24th. Selectman McCall seconded, motion approved unanimously.

## SCHEDULED BUSINESS

Public Hearing - Joint Pole Petition, Place One (1) Pole Clover Hill Drive

Joseph Gleason, right of way agent for Bell Atlantic, 28 Diana Lane, Dracut came before the board to request approval for a pole petition to place one pole on Clover Hill Drive. The purpose of the pole is to supply power to a new pumping station. Selectman Moran asked when these lines would become operational, as this is a priority for the Sewer Department. Mr. Gleason said he would check and get back to Mr. Lynch's office with the information.

Selectman Moran made a motion to approve a joint pole petition to place one (1) pole on Clover Hill Drive in accordance with plan #974. Selectman McCall seconded, motion approved unanimously.

Cedar House - Signage, Floor Plan Layout - Installation of Partition

Attorney Joseph Shanahan, representing William and Michelle Nget of M.W.N. Inc., came before the board to address concerns that the Cedar House, 124-126 Tyngsboro Rd. is in violation of it license agreement. Mr. Shanahan stated that the Ngets intended to install a partition to delineate between the alcohol and convenience store items but ran into difficulties in obtaining approval from the property owner, Mr. Kirk. The new signage identifying the establishment as Michelle's Liquors was to distance the business from the previous owners. The Ngets are in the process of filing paperwork to change the service from a convenience/package store to an exclusively package store. They hoped to appear before the board at the next meeting to request approval for this partition.

Selectman Moran expressed concern that the terms of the license had been set a year ago and hadn't been followed. The spot check also found small bottles of wine placed within easy reach along the aisles. There needs to be something done to definitively separate the alcohol from the non-alcohol items. Mr. Shanahan responded that the issue of the small wine bottles could be easily addressed. Personal vigilance on the part of the managers addressed the other issue. Mr. Shanahan submitted that there wasn't another convenience store with these sorts of provisions. Selectman Moran said that the license was granted with the understanding that this provision would be followed. Mr. Shanahan said that the next day he would go to the store with his clients to come up with a workable solution to this situation and present it to Mr. Lynch's office. Selectman Dalton requested that there be some assurance that any proposed plan be followed. Mr. Shanahan agreed that it would.

Continuation of Public Hearing - Joint Pole Petition, Edgewood Street Place One (1) Pole

Joseph Gleason, right of way agent for Bell Atlantic, 28 Diana Lane, Dracut came before the board to request that the pole petition be granted for the placement of one pole on Edgewood Street. The public hearing was continued from the meeting of May 1st so that the concerns of an abutter could be addressed. The purpose of the pole is to provide power to a pumping station. Deciding the location of the pole was made tricky by the geography of the street. Mr. Francalangia, 15 Edgewood St. initially had concerns about both the placement of the pole and the placement of the guy wires. Mr. Gleason met with Mr. Francalangia and confirmed the

location of the pole to the satisfaction of Mr. Francalangia. Mr. Francalangia addressed the board stating that he was satisfied with the aesthetics of the location. He also mentioned that the standard 10 ft. guys are not obtrusive and after looking around found that they are everywhere and he hadn't noticed them before. Selectman Moran thanked Mr. Gleason for taking the time to address the concerns of an abutter. Mr. Lynch went on to thank Mr. Francalangia for his cooperation.

Selectman Moran made a motion to approve the pole petition for a pole to be placed on Edgewood St. in accordance with plan #972. Selectman McCall seconded, motion approved unanimously.

**UNSCHEDULED BUSINESS**

Ciro's Restaurant

Mr. Lynch stated that there were still questions surrounding the license for Ciro's Restaurant and proposed that they be invited to an upcoming meeting to address the issues.

**TOWN MANAGER REPORTS**

Playgrounds

Mr. Lynch commended Ms. Kahl and the committee on their dedication to the playground renovation at Varney Park. Two other groups, the Harrington School PTO and the Byam School PTO, are also organizing to rebuild the playgrounds at their respective schools.

The Harrington PTO is considering moving the playground to the side of the school, closer to the soccer fields. This would free up space to for additional parking. The Byam PTO is looking to have some boulders removed from the site and having it leveled. They are happy with the assistance the town has been able to provide. These are good additions to the community.

Selectman Weisfeldt took the opportunity report that the newly resurfaced tennis courts had been vandalized with polyurethane and their nets ripped down. He commented that this was truly a shame. Mr. Lynch replied that there had been other incidences of vandalism in the recent past at other recreation sites and most recently at the high school. He said that patrols would be stepped up and that he would look into the security at the high school. Mr. Volpe commented that the high school had recently spent $7,000 on a security system. More discussion ensued around the issue of security. Selectman Weisfeldt urged citizens to keep their eyes open and report any suspicious behavior.

Liquor Regulations

Mr. Lynch informed the board that at the request of Selectman Moran copies of the Liquor Regulations would be placed in all police cars.

Teacher Retirement Program

The governor has vetoed the most recent Teacher Retirement Program proposal. It looks like there will be incentives tacked on to the latest version to get teachers to stay on. Insurance costs will continue to be an issue whether a retirement program is adopted or not. Research is being conducted now to find the best plan for both coverage and cost.

Trash Contract

The trash bid has been awarded to Russell Disposable over the current provider Waste Management. The transfer should be transparent. Waste Management is providing a transition

team to assist in the change of operations. Russell Disposable came in $235,000 lower than other bids. This is, however, in line with what was budgeted for trash service.

Memorial Day

The board will be marching in the Memorial Day parade. Mr. Lynch requested that they meet in the Stop & Shop parking lot at 9:30 am. The flagpole has been repainted and the LeFebvre memorial is being moved to the front of the Triangle Service Station. The move is taking slightly longer than planned because of the need for special radial cut granite.

Forefather's Cemetery Improvements

The Town has been working with John Souza and the Cemetery Department to implement the improvements outlined in the consultant's report. There is a $60,000 grant for such improvements. Forefather's Cemetery is a vital piece of town history and an important feature in the overall Town Center plan.

Davis Road

Assurances have been made concerning the removal of the last remaining push pole on Davis Road. The pole should be removed in the next several weeks.

Nashua Railway Plan

Mr. Lynch reported that he has a meeting scheduled with Senator Fargo to discuss the railway proposal. Marty Meehan has filed for federal funds for the project. It is a goal of the Town to play a role in the siting of a local station along the route. The board suggested holding a public hearing to gauge community interest in the project. Mr. Lynch thought that a meeting should be scheduled for sometime in July.

Precincts 1 and 9 Voting Site Relocation

Due to parking problems, Mary St. Hilaire has suggested that the board vote to move the voting site for Precincts 1 and 9 back to the Town Offices gymnasium from the current site at the South Row School. Voting on this now would allow for time to notify the State and the voters before the September primaries. After a brief discussion the board agreed to support such a plan.

Selectman Moran made a motion to relocate the voting site for Precincts 1 and 9 to the Town Offices gymnasium. Selectman McCall seconded, motion approved unanimously.

Freeman Lake

The town has met with MEPA concerning the Freeman Lake draw down of six inches. There may be a need to file an environmental impact report. Selectman McCall reported that he heard some concern from adjacent communities about the need for a 12-inch draw down. Mr. Lynch made clear that it was just a 6-inch draw down.

Pineneedle Road

The drainage issues on Pineneedle Road will need to be corrected with a rebuild of the drainage system.

Water District Joint Meeting

A tentative date for a joint meeting with the Water District has been set for Wednesday, June 14. Some members of the board reported possible conflicts with the proposed date. Mr. Lynch said he would contact John Harrington to seek an alternate date.

Goal Setting

The date for the annual goal setting meeting is scheduled for June 19th at the Golf Course. The meeting will start with a tour of The Forum and the golf course followed by the meeting.

Mr. Lynch went on to say that Facility Management Corp. would be invited in for July to present a report on The Forum. The group has been managing The Forum for the past year and a half. Revenues this year have exceeded the $50,000 benchmark by $12,000. This will be put in a revolving fund. The goal is to accumulate the funds for future capital improvements. Sterling Golf Management will also be invited to report on the golf course. Mr. Lynch stands by his projections that the course will be paid off within ten years. Selectman Dalton inquired when Sterling's contract was up. Mr. Lynch replied that it would be at the end of the year.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Moran reported that he had attended the Chamber of Commerce meeting where Mr. Lynch made a very effective presentation. While there he had a discussion about land banks, where money is set aside to purchase open space. He was thinking about the money that had been set aside to purchase the Penni Lane property. This money might never be used. Perhaps these funds could be moved, with Town Meeting approval, to an open space fund. Mr. Lynch first clarified that there had been Town Meeting approval to fund the purchase of the East School not Penni Lane. He thought an open space fund was a good idea if the funds were kept relatively small. The stabilization fund was available to purchase open space. He would explore the idea further if the board was supportive of it.

- Selectman Moran said that while it was a bit early to be looking at census numbers it was something on the horizon. If the numbers do exceed 36,000 then there would need to be redistricting, among other changes. Mr. Lynch responded that while it was too early to determine, it was thought that the numbers had remained around 32,000.

- Selectman Moran inquired whether the Town Resource Book was still on track for a June release. Mr. Lynch replied that it was.

- Selectman Moran said that the groundbreaking at Simonian Field would be taking place. The snack bar would be a fine addition to the area.

- Selectman Moran offered congratulations to the Gates family on having another Eagle Scout in the family.

- Selectman Eliopoulos reported that there wasn't really anything new to report on the Route 3 project. It was still on track for a July groundbreaking. The goal continued to be minimizing the impact on the Chelmsford community. He went on to suggest that a big piece was the Route 4 lights. Mr. Lynch said that the transportation bond has yet to be passed. Selectman Eliopoulos wondered if there couldn't be some discussion of Town financing of the Center Project with the promise of short-term State reimbursement. Mr. Lynch said that the plan is still at the 75% phase. It will have to be 100% approved before funding is approved. Selectman Eliopoulos suggested researching and laying the

groundwork for a reimbursement plan in the event that it is approved. It looks like there will be a 12-18 month lag to do bridge work before the highway work gets underway. This gives the opportunity to complete the Center beforehand. Selectman Dalton suggested treading the reimbursement path with caution given the State's track record on reimbursement. Selectman Weisfeldt reminded the board that it would be very, very disruptive to have both projects under construction simultaneously.

- Selectman Eliopoulos commended the organizers of and participants in the 24-hour Relay for the American Cancer Society. The event was a great success. The board concurred.
- Selectman McCall inquired whether there was any way residents could get a schedule for paving on Route 27. Mr. Lynch said that he would check with the Sewer department and report back.
- Selectman McCall said that he met a representative at a NMCOG meeting that was going to pass on a packet concerning an executive order for discretionary funds for affordable housing. Mr. Lynch said that he had a discussion with Dave Hedison concerning the marketing of affordable housing properties that come on the market. He said that he had some reservations about the State's plan.
- Selectman McCall asked Selectman Eliopoulos to confirm reports made by some other community boards that the Route 3 project was going to run over by $250 million or so. Selectman Eliopoulos replied that he had heard this rumor and it is unfounded. The job had been priced out five or six years ago for construction costs. The project was deemed to be too costly to be done by the State. They then came up with the current private plan to have it built. This plan pays off the project over 30 years with the private construction firm taking on the maintenance of the road. Mr. Lynch went on to say that a cap was placed on the project so a Big Dig situation was very unlikely.
- Selectman Weisfeldt announced the annual Post-Prom Breakfast, commencing at midnight after the Prom. Volunteers of the financial and material type are still being sought.
- Selectman Weisfeldt asked about the trash cans for the Town Center. Mr. Lynch said that they were coming although they wouldn't match the benches due to the exorbitant cost of the matching cans.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, June 5, 2000, at 7 pm. There being no further business the regular meeting adjourned at 9:15 pm.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**June 5, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Arts & Technology Fund Award Recipients

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

| | |
|---|---|
| Board of Selectmen | April 10, 2000 |
| | May 16, 2000 |
| Executive Session | April 10, 2000 |

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:45 p.m.** Public Hearing - Mass. Electric Company
Petition to Excavate Marshall Street for Underground Conduit

**7:50 p.m.** Public Hearing - C2C Fiber Network Services Inc.
Installation of Above Ground & Underground Wires
East Chelmsford

**8:00 p.m.** Skip's Restaurant - Automatic Amusement: "Lobster Claw Game"
George Burliss, Owner

**8:10 p.m.** Boston Market - Transfer of Common Victualer License to Golden Restaurant Operation, d/b/a Boston Market,
40 Drum Hill Road

***** This meeting is televised. *****

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting:** July 17, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**JUNE 5, 2000**

A regular meeting of the Board of Selectmen was held on June 5, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

**PUBLIC SERVICE ANNOUNCEMENTS**

Arts & Technology Fund Award Recipients

Selectman Eliopoulos introduced Evelyn Thoren of the Arts & Technology Fund Committee. She thanked the board for giving her the time to present the award and for their support. She went on to thank the rest of the committee, Ed Morassi, Beverly Barrett, Angie Taranto, Pam Armstrong, George Ripsom and Richard Moser for their hard work and dedication to the fund. Ms. Thoren gave a brief history of the fund. In 1996, George Ripsom presented the board with a bylaw that would allow for a fund to be set up to provide for supplemental education grants. At this time there is more than $35,000 in the fund, with $13,000 having been awarded. The hope is for one more award to be given each year. A goal of the committee is to seek out the best ways to develop the fund. Applications for grants went out in January with a March 31st deadline. Many excellent applications were received making it difficult for the committee. These awards are given for a specific program. Anything material purchased with the money becomes part of the school system. She thanked the contributors and reminded potential donors that they could make a tax-deductible donation with a tear-off on their excise or July property tax bills.
Ed Morassi took the podium to present the awards. He too commended the committee for their hard work in making a difficult decision. He also thanked Fred Mansfield. Awards were presented to:

Elaine Farrell, Betty-Mae Flaherty, Jeanne Manzi - Westlands School - A Step into the 17th Century - $750
Field trip to the Plimouth Plantation

Sharon Ryan - Harrington School - Book Nook - $750
Book collection for first graders

Marilyn Sweeney - Center School - KidVideo - $750
Digital video camera

Sandy Tuttle, McCarthy Middle School - Inspiration & Visual Thinking - $750
Help to organize ideas and writing strategies

Chris Panagiotakos, Center School - Solar System Simulator - $500
Abstract concepts turned real with manipulatives

Mary Donovan, Chelmsford High School - A Doll's House - $750
A performance by the Brandeis Professional Players of Ibsen's "A Doll's House" for all seniors.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETING

Board of Selectman April 10, 2000, May 16, 2000 - Executive Session - April 10, 2000
Selectman Moran made a motion to approve minutes from the regular meeting and executive session of April 10th. The motion was seconded. Motion approved unanimously.
Selectman Moran made a motion to approve the minutes from the April 16th meeting. Selectman McCall seconded. Minutes approved with Selectman Dalton abstaining.

## SCHEDULED BUSINESS

Public Hearing - Mass. Electric Company, Petition to Excavate Marshall Street for Underground Conduit

Dave Agor of Mass. Electric sought board approval for a petition to excavate Marshall St. for the purposes of installing 40 ft. of underground conduit. Selectman Moran made a motion to approve the petition for plan #M-777 dated 5/11/00 to place 40 ft. of underground conduit on Marshall St.. Selectman McCall seconded. Motion approved unanimously.

Public Hearing - C2C Fiber Network Services Inc., Installation of Above Ground & Underground Wires East Chelmsford

Gary Jacob, Senior Licensing Engineer for Northstar Industry, Inc. appeared before the board to request approval for C2C Fiber Network Services, Inc. to place and install underground and above ground wires, cables, fibers, repeaters, markers and equipment of the transmission of intelligence upon existing utility poles, existing underground ducts and new underground duct. Mr. Jacob stated that this wiring would provide fiber optic communication cables for all interested businesses to connect with Boston along the 495 hub. The effort is the first major step in offering improved communication systems.
Selectman Moran made a motion to approve the plan entitled C2C Fiber, Inc., dated 5/25/00, showing pole locations and some underground facilities on Riverneck Road, McFarlin Road, Progress Avenue and cross-country (underground) between McFarlin and Progress. The section of underground conduit is to be separated horizontally, approx. 10-feet from the existing sanitary sewer. Approval is subject to review and approval of the detailed plans by the Town engineering office. Selectman McCall seconded, motion approved unanimously.

Skip's Restaurant - Automatic Amusement: "Lobster Claw Game" George Burliss, Owner

George Burliss, president of Skip's Restaurant came before the board seeking permission to install an entertainment device. The game is a 100-gallon tank filled with 6 –12 lobsters. If the patron catches a lobster, he or she has the opportunity to have the restaurant cook and serve the catch or to go home with it live. Mr. Burliss said the odds are one in ten.

Selectman Moran made a motion to approve the Automatic Amusement license for a lobster claw game at Skip's Restaurant, 116 Chelmsford Street. Selectman McCall seconded, motion approved unanimously.

Boston Market - Transfer of Common Victualer License to Golden Restaurant Operation, d/b/a Boston Market, 40 Drum Hill Road

Ken Bedrosian, of Boston Market came before the board seeking a transfer of Common Victualer License to Golden Restaurant Operation. McDonalds, operating under the name Golden Restaurant Operations, recently acquired Boston Market.
Selectman Moran made a motion to approve the transfer of Common Victualer License of Boston Market, 40 Drum Hill Road for the hour of operation from 8 am - 11 pm to Golden Restaurant Operation, d/b/a Boston Market. Selectman McCall seconded, transfer approved unanimously.

**UNSCHEDULED BUSINESS**

Mr. Lynch read a letter from Bob Cruickshank of the School Department dated May 24, 2000 regarding a release of funds for the repair of water damage due to a broken pipe at the Byam School in January. During the clean up and repair process done by independent contractors it was determined that asbestos was contained in the floor materials. Floor repairs were to wait until school was out in regards to the safety of the children. The HVAC system was repaired and water cleaned up in January. Approximately $33,000 in insurance reimbursement has been received. Approval is needed from the Board to "overdraw" the special account until the insurance monies can be appropriated back to the School Department via a town meeting vote.

Selectman Moran made motion to approve the payment of $33,000 for the Byam School for repairs and removal of asbestos as outlined in the letter from Mr. Cruickshank. Selectman McCall seconded, motion approved unanimously.

**TOWN MANAGER REPORTS**

Varney Playground
Mr. Lynch reported the new Varney Playground is very impressive. The community did a fantastic job in bringing to life the ambitious plan of the students and playground committee.

Teacher's Early Retirement Program
It continues to be likely that the governor will veto the current version of the teacher's early retirement program. The governor's version provides incentives for those who want to continue to teach but also provides incentives for those who want to leave. It also provides for the possibility of teaching shortages where retirees could return to teaching and still receive a pension. Regardless of whatever new plan if any is implemented, benefits for retirees will continue to be an issue for the town. Selectman Moran asked if there had been any impact studies conducted on either plan. Mr. Lynch said that there is some analysis being done at this point.

Additional Aid

The governor has a plan to hold back additional assistance to provide for housing assistance. This plan ties eligibility for grants with the efforts communities put forth to promote housing. An effort must be shown over three years. By fourth year housing must be produced by the

private sector. Communities like Chelmsford don't get any credit for the housing they have already. The other aspect to this plan is that it isn't necessarily affordable housing. Housing in the $297,000 range would be considered. The Town will have to show that it is making efforts. The program bears watching. Selectman Dalton asked about housing on Littleton Road. Mr. Lynch says it doesn't meet affordable housing requirements.

Central Square Project

The 75% plans for the Central Square Project are in the hands of the state. Indications point to interest in moving forward on the plan. Mr. Lynch mentioned that several members of the board have had an opportunity to push the plan. Selectmen Dalton and Eliopoulos approached Transportation Secretary Sullivan with their concerns surrounding the impact the Route 3 project will have without the completion of the Center Project. The 75% plan should be reviewed on June 6th. Once approval is granted it goes to the 100% phase and then put on the fast track. The project could go out to bid by late summer or early fall so that work could begin in the fall or spring. Response has been positive.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Dalton inquired about plans for sidewalks on Middlesex St.. Mr. Lynch responded that Middlesex wasn't currently on the scheduled plan for installation. He would check into it further.

- Selectman Moran said that the DPW study was complete and wondered what the next step was. Mr. Lynch replied that some staffing recommendations were already implemented. Some of the system changes would be implemented soon.

- Selectman Moran asked whether a conclusion had been reached regarding Adams Variety's appeal to the ABC. Mr. Lynch said that nothing had been received to date.

- Selectman Moran announced a public hearing concerning the Nashua to Boston Railway, particularly regarding interest in a stop in Chelmsford. The hearing will be held July 24 at the Senior Center at 7 pm. Selectman Eliopoulos suggested earmarking some possible sites and having a map available. The public is invited to attend and voice their interest and concerns regarding such a plan.

- Selectman Moran reported having attended a Building Needs Committee meeting. He had also attended the finance committee meeting. The major topic on the Finance Committee agenda was the school budget issue. Mr. Lynch said that he had met with the Finance Committee about this. There are some legal issues around using the revolving fund to resolve the budget problems. If these funds aren't available other funding options will have to be explored.

- Selectman McCall commented that he had done some work on the Varney Playground. The project was a real community effort, culminating in very impressive results.

- Selectman McCall passed on the concerns of some residents of the Crystal Lake area regarding the residency requirements for beach access. The residents don't feel that the requirements are being enforced. Mr. Lynch said that ID's are checked but he would look into it further.

- Selectman McCall said he heard reports of various contractors tapping into hydrants. He wondered if permits were required to get access to the hydrants. Mr. Lynch said that it's up to the water districts to give permission. Mr. Harrington confirmed that at one time permits were issued and the use metered, however, the practice is no longer allowed in the Center District.

- Selectman Eliopoulos attended the SPED award night. The event is to honor those members of the school community (teachers, staff, nurses, bus drivers etc.) who have contributed to the lives of special needs students.

- Selectman Eliopoulos attended a Route 3 meeting. Heavy construction isn't expected to begin until spring. This provides some time to get things in order. Selectman Dalton said that Selectman Eliopoulos spoke quite effectively on behalf of the community at the meeting. Selectman Eliopoulos said that Marty Meehan was there along with Kevin Sullivan and Modern Continental. They talked about what is included in the contract and the duration of the project. Selectman Weisfeldt inquired into the Drum Hill Rotary aspect of the project. A plan has been settled on, and it is different than the version the Town submitted. The whole project is a work in progress and once the contract has been signed the final plan will be released. Because it is a design build project there will be opportunities to have some input into it. Chelmsford has been a strong advocate for the project so it is getting a lot of support for its interests.

- Selectman Eliopoulos attended a recent Eagle Scout ceremony and mentioned that the community seems to have a higher than average percentage of scouts reaching the Eagle Scout level.

- Selectman Eliopoulos distributed the committee liaison assignments to the board.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, June 26, 2000, at 7 pm. The board voted by roll vote to go into executive session for the purpose of discussing litigation. There being no further business the regular meeting adjourned at 8:30 pm.

Respectfully submitted,

Donna McIntosh.

**BOARD OF SELECTMEN MEETING MINUTES**
**JUNE 20, 2000**

A special meeting of the Board of Selectmen was held on June 20, 2000 at the Town Offices beginning at 12 Noon. Board members present were Selectmen Philip Eliopoulos, Michael McCall, Tom Moran and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager; and Fred Mansfield, Finance Director

**Bond Anticipation Notes**
The Finance Director explained the need to issue $8.25 million in Bond Anticipation Notes for the purpose of moving forward with the sewer project. The temporary borrowing will be retired and reissued as long-term debt next spring in coordination with recently approved capital projects. The Finance Director explained that with the bank paid premium of $20,801 calculated in, the average net interest cost to the Town will be 4.628%.

Selectmen Moran motioned to approve the sale of $8,250,000 at 5% Bond Anticipation Notes of the Town dated June 27, 2000 and payable March 1, 2001, to Eastern Bank at par and accrued interest plus a premium of $20,801. Motion seconded by Selectmen McCall; carried unanimously.

**Acceptance of Frank Brox Land Gift on Tyngsboro Road**
The Town Manager presented the Board with a land gift of 2.35 acres off Tyngsboro Road owned by Frank A. Brox of 56 Brentwood Road. Mr. Brox would like to donate the property to the Town at no cost for use as conservation land.

Selectmen Eliopoulos questioned whether the Town conducted any environmental studies to insure no contamination liability exists at the site. The Town Manager commented that no industries were ever located in the area and that it is highly unlikely contamination exists. Selectmen Eliopoulos stated that it might make sense for the Board to devise a policy that requires a Phase I Environmental review prior to accepting any future property. He indicated that he would draft a policy for Board review.

Selectmen Moran motioned to accept the parcel on Tyngsboro Road in N. Chelmsford consisting of 2.35 acres on the South side of Tyngsboro Road in a line from Marguerite Road to Wellman Avenue. Motion seconded by Selectmen McCall; carried unanimously.

**Selectmen Referrals**
Selectmen Moran requested the Town Manager provide an update regarding the Mass Gravel fill operation. The Town Manager indicated he would contact Weston & Samson for the requisite information and report back at a future meeting.

There being no further business before the Board a motion was made by Selectmen Moran to adjourn; carried unanimously.

Respectfully Submitted

John Coderre

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**June 26, 2000**

*Location of Meeting: Chelmsford Country Club*

| | |
|---|---|
| **5:30 p.m.** | **Tour of Forum** |
| **6:00 p.m.** | **Tour of Chelmsford Country Club** |
| **7:30 p.m.** | **Call Meeting to Order** |
| | **Town Manager Bids/Contract Awards** |
| | Highway Division Materials/Services Bid |
| | Stop Loss Insurance |
| | **Scheduled Business** |
| **7:30 p.m.** | M.W.N., Inc. (Cedar House) - Signage, Installation of Partition |
| **7:45 p.m.** | Ciro's Restaurant - Violations of All Alcohol Liquor License |
| **7:55 p.m.** | Dutch Uncles – Change of Described Premises |
| **8:00 p.m.** | BOS Goal Setting |
| | **Unscheduled Business** |
| | Appointments |

**Next Regular Meeting**: July 24, 2000

**BOARD OF SELECTMEN MEETING MINUTES**
**JUNE 26, 2000**

A regular meeting of the Board of Selectmen was held on June 26, 2000, at the Chelmsford Country Club beginning at 7:30 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

**SCHEDULED BUSINESS**

M.W.N., Inc. (Cedar House) - Signage, Installation of Partition

Attorney Joseph Shanahan came before the board representing M.W.N., Inc. of Cedar House in their request for a change of d/b/a and submission of a new floor plan. Mr. Shanahan stated that the changes requested from the board at the May 22, 2000 meeting had been included in a new floor plan. He went on to say that the goal of M.W.N., Inc. was to eliminate almost all the convenience store items and convert the store to a typical package store, renaming it "Michelle's Liquors". All employees of the store are TIPS certified. The store hasn't been cited for any violations. Mr. Shanahan added that the ABC C approval is still pending. The conversion could take place within 60 days of ABCC approval.

Selectman Moran made a motion to approve the change in d/b/a from Cedar House to Michelle's Liquors and approve the new store layout within 60 days of ABCC approval, subject to the submission of a new floor plan. Selectman McCall seconded, motion approved unanimously.

Ciro's Restaurant - Violations of All Alcohol Liquor License

Attorney Peter Lawlor came before the board representing Ciro's Restaurant, to respond to the outstanding issues regarding the standing of the restaurant's alcohol license. Also present was James Hantzis, owner of Ciro's and John Mendoca, manager of Ciro's. Pam Armstrong was also in attendance representing the interests of the Planning Board.

Regarding the issue of back taxes, Mr. Lynch said that an acceptable payment schedule had been worked out with Fred Mansfield. There were still some outstanding issues with the Fire Department. A wall had been built, blocking the siamese connection and the third floor has yet to be completed. Mr. Lynch turned the floor over to Pam Armstrong so that she could address the concerns of the Planning Board.

Ms. Armstrong listed a number of issues going back to November of 1999, including the failure to remove patio furniture from an outside eating area, a lack of trees, and an incomplete paving job. Selectman Eliopolous invited Mr. Lawlor to address these issues on behalf of Ciro's.

Mr. Lawlor said that a notch had been made in the wall to allow access to the siamese connection. Due to cash flow problems, the second floor has not been completed and there are no plans to do so in the near future. The space is not being used and there isn't a need at the moment for the administrative space that was planned. If the space were completed, it would create problems with the amount of space that is allocated for parking. Nothing has been changed that was approved of in the initial building occupancy permits. There is also adequate fire suppression for unoccupied space. The patio area was used for a limited amount of time last summer, but it hasn't been used at all this summer and there is no intention to use it.

Selectman Eliopolous questioned Mr. Lawlor about why the sign was still leaning against the building and why the landscaping had yet to be completed. Mr. Lawlor said that in order for a sign to be put up there needed to be a variance from the Board of Appeals because of the close proximity to the road. The McDonald Company has been hired and has come up with a

landscaping plan. This plan was passed on to Ms. Armstrong. Ciro's is currently seeking to refinance; Mr. Lawlor went on to say. If the refinancing goes through some capital could be freed up to address some of these issues.

Ms. Armstrong expressed concern that many of the "temporary" situations had been going on indefinitely. The Planning Board would like to see a time frame imposed on when these issues would be addressed. Mr. Lawlor resisted a time frame. Selectman Moran pointed out that the one of bigger issues was a lack of communication on Ciro's part. The restaurant is a valued member of the community but there needs to be an effort on the part of the restaurant to address these problems. Mr. Lawlor agreed to return at a future date and provide the board with an update on the issues addressed at this meeting. There should be an answer regarding the refinancing by September so that would be an appropriate time to come back. Ms. Armstrong agreed to take the landscaping plan back to the Planning Board.

Dutch Uncles - Change of Described Premises

Paul Bouchard of the Courthouse Wellness and Fitness Center came before the board to seek approval for a change of described premises of the liquor license for Crunches Tavern. The tavern has a cabana area where alcohol is served in the summer for limited hours. Mr. Bouchard would like that area included under the floor plan of the current All-Alcohol license.

Selectman Moran made a motion to allow for the All-Alcohol Common Victualer's License for Dutch Uncle's, Inc. d/b/a Crunches Tavern to include the existing cabana bar subject to the submission of a comprehensive floor plan. Selectman McCall seconded, motion approved unanimously.

BOS Goal Setting

A comprehensive report of forty-two on-going goals and nine new projects were summarized one by one by Mr. Lynch. He asked the board for their input on anything that may have been missed.

The board was satisfied with the scope of the list and commended Mr. Lynch on its comprehensiveness. Selectman Eliopoulos invited the members of the board to list their top goals for the coming year. Selectman Weisfeldt targeted tax relief. Selectman Moran mentioned taxes, traffic and education funding. Selectman Eliopoulos also highlighted tax relief and the stabilization fund. Selectman McCall emphasized taxes, traffic and neighborhood and community development.

Selectman Moran made a motion to identify the top five goals of the board as the Central Square project, tax relief and stabilization, education funding, affordable housing and traffic. Motion seconded and approved unanimously.

**UNSCHEDULED BUSINESS**

Appointments

Mr. Lynch read the list of Town official appointments. Selectman Moran made a motion to approve the appointments as read. Selectman McCall seconded, motion approved unanimously.

## TOWN MANAGER BIDS AND CONTRACTS

DPW Bid Awards

Mr. Lynch read the DPW bid awards as submitted by Jim Pearson, DPW director.

Selectman Moran made a motion to approve the bid awards listed below as submitted by Jim Pearson.

| BID ITEM # | NAME | LOW BIDDER |
|---|---|---|
| #4 | Crack Sealing | Sealcoating, Inc. |
| #5A | Basin Cleaning | Vigeant |
| #6 | Heavy Equipment Rental | Drum Hill Construction |
| | Roadside Mower | Kohl Construction |
| #7 | Traffic Markings | Markings, Inc. |
| #9 | Aggregate | Brox Keating Aggregate, Inc. |
| #10 | Street Sweeping | American Sweeping |
| #14 | Excavation by Cold Planer | Garrity Asphalt Reclaiming |
| #15 | In-place recycling bituminous concrete | Murray Paving |
| #18 | Remove/Reset Curb | Hurford |
| #19 | Guardrail | DeLucca Fence |

Selectman McCall seconded, motion approved unanimously.

Stop/Loss Insurance Contract

Mr. Lynch explained that the premium for the current contract had gone up over 80% from $125,095 to $220,488. Selectman Moran made a motion to approve Blue Cross for a $75,000 deductible policy effective July 1, 2000. Motion seconded, contract award approved unanimously.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, July 24, 2000, at 7 pm. There being no further business the regular meeting adjourned at 10:10 pm.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**July 24, 2000**

***Location: Senior Center, 75 Groton Road, North Chelmsford***

**6:45 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Proclamation - Korean War Armistice Day
John Hipson, Korean War Veterans;
Regina Jackson, Assistant Veterans Agent

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

Selectmen: May 1, May 22, June 5, June 20

Executive Session: May 1, June 5

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

Highway Division Materials/Services Bids (3)

**Scheduled Business**

**6:50 p.m.** Application for Transfer of All Alcohol Package Store License
Westlands Package Store d/b/a/ F.L.C., Inc. to Westland Wine and Spirits Inc.

**7:00 p.m.** Public Hearing – Petition of Teleport Communications Group
Underground Conduit, Seven (7) Locations

**7:10 p.m.** St. Vartanantz Church – Four (4) One-Day Liquor Licenses

**7:15 p.m.** Application for Appeal of Colonial Gas Company Denial of Street Opening
Charles and Charlene Svenson, 50 Stedman Street

***** This meeting is televised. *****

**Unscheduled Business**

BOS Appointments

Town Counsel, Sewer Commission Counsel, Capital Planning Committee, Board of Health, Board of Registrars

**7:30 p.m. Public Input Meeting – Nashua to Lowell Railroad**

**Next Regular Meeting**: August 21, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**JULY 24, 2000**

A regular meeting of the Board of Selectmen was held on July 24, 2000, at the Senior Citizen Center beginning at 6:45 p.m. Board members present were Selectmen Philip Eliopoulos, William Dalton, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Selectman Moran read a proclamation honoring the 54,000 Americans who gave their lives in the Korean War and proclaiming July 27 as National Korean War Veterans Armistice Day. Regina Jackson, Assistant Veterans Agent, accepted the proclamation. She stated that on July 27 the flag at Veterans Memorial Park on North Road will be lowered to half staff to pay tribute to all Korean War Veterans.

## APPROVAL OF MEETING MINUTES

Selectman Moran made a motion to accept the minutes of the May 1, May 22, June 5 and June 20 Selectmen's meetings, noting that the May 1 minutes (page two) should be amended to show that Selectman McCall seconded the motion to approve underground conduit on Technology Drive, and to accept the minutes of the Executive Session of May 1 and June 5. Selectman McCall seconded; motion passed unanimously.

## TOWN MANAGER REPORTS

Golf Course and Forum Operations

Town Manager Lynch stated that Sterling Golf Management and Facility Management Corporation will be invited to attend the August 21 Selectmen's meeting and give presentations on activity for the past year at the Chelmsford Country Club and the Forum.

DPW Study

An implementation plan for the recent DPW study will be reported at the next Selectmen's meeting.

The Pink House

Mr. Lynch stated that he is in the process of reviewing options for the "Pink House." It is likely that the costs to fully renovate this structure may be prohibitive and therefore he is looking at the option of selling the building to be moved or demolition. However, space will be needed for storage of books for the annual Library Book Sale and library maintenance equipment.

Collective Bargaining

Mr. Lynch stated that he is currently busy with collective bargaining and hoped to reach settlements with all unions before October 2000.

Lottery Revenue

An additional $383,000 in additional lottery funding will be made available to Chelmsford. Mr. Lynch stated that the Town would not be looking to spend this money in any one department or on a specific purpose, but may use it to help defray supplemental health insurance costs and other fixed costs.

**TOWN MANAGER BID AWARDS**

The following bids were awarded:

| Bid Item # | Name | Low Bidder | Amount |
|---|---|---|---|
| #3 | Bituminous Concrete | Aggregate Industries | $31.20 |
| #16 | Vertical Granite Curb | R.S. Hurford Co., Inc. | $20.99 |
| #17 | Sloped Granite Curb | R.S. Hurford Co., Inc. | $13.99 |

It was noted that this year's cost of bituminous concrete has increased significantly over that of last year ($26/27) due to fuel costs. This material will be used in paving Acton Road and Middlesex Street.

Selectman Moran made a motion to award the bids as listed; Selectman Eliopoulos seconded; motion passed unanimously.

**SCHEDULED BUSINESS**

Application for Transfer of All Alcohol Package Store License
Westlands Package Store d/b/a F.L.C., Inc. to Westland Wine and Spirits Inc.

James Walsh, representing Melany Huoth, the proposed licensee, requested the Board's approval of a transfer of the license from the current licensee, Thomas Murtaugh of Chelmsford, MA. Mr. Walsh stated that Ms. Huoth has no experience in liquor store operations. She has completed the Mass. Package Stores Association training program in techniques of alcohol management. Selectman Moran asked if Ms. Huoth is TIPS certified and expressed his concern that the selling counter remain in its present location under the floor plan submitted. Mr. Walsh acknowledged that Ms. Huoth is not TIPS certified and assured the Board that she will complete this program. He added that the selling counter will not be moved. The hours of operation will remain as they are. Liquor regulations will be provided to the new owner.

Selectman Moran made a motion to approve the transfer of the all alcohol package store license from Westlands Package Store d/b/a F.L.C. to Melany Huoth, Westland Wine and Spirits Inc. Selectman McCall seconded; motion passed unanimously.

Public Hearing – Petition of Teleport Communications Group, Underground Conduit

Atty. Joseph Gleason requested permission to install above ground and underground wires, cables, etc. for the transmission intelligence along seven (7) public streets and ways within the Town. The locations are: Steadman Street, North Road, Princeton Street, Church Street, Quigley Avenue, Middlesex Street and Technology Drive. No new construction is involved with the exception of Technology Drive. This part of the petition will be withdrawn and referred to the DPW Director for further review. It will be re-submitted for action at a future Board meeting.

George Merrill, 108 Dunstable Road, asked for a restriction on hanging cable on double poles. The Town will make an effort to comply.

Linnea Fader, 209 Main Street, asked about any effect on abutting locations. Mr. Gleason stated the installations will service all locations along the route that request service.

Sel. Elipoulos made a motion to close the public hearing. Sel. Moran made a motion to approve the petition of Teleport Communications Group to install wires, etc. on the streets named, noting the withdrawal of the portion related to Technology Drive. Selectman McCall seconded; motion passed unanimously. The Board requested that Mr. Gleason submit an estimated construction schedule for review prior to the next meeting.

St. Vartanantz Church – Four (4) One-Day Liquor Licenses

Nona Juknavorian came before the Board to request four one-day liquor licenses for the following dates: August 5, August 6, August 13 and August 20 in conjunction with various social events the Church is holding.

Sel. Moran asked Ms. Juknavorian whether the TIPS certifications had been received. She stated that all six individuals who would serve alcohol had completed the TIPS classes but had not yet received the actual certificates. She added that despite attempts, she has been unsuccessful in reaching Mr. Flanagan in this regard. Mr. Lynch said that the Manager's office would contact Mr. Flanagan about issuing the certificates for these individuals. TIPS certification will need to be received in order for the licenses to be released.

Sel. Moran made a motion to approve the four one-day licenses for the dates specified contingent upon receipt of TIPS certification. Sel. McCall seconded; motion passed unanimously.

Application for Appeal of Colonial Gas Company Denial of Street Opening

Charles and Charlene Svenson, 50 Steadman Street, were denied a permit to open the street, an action necessary to convert their appliances to natural gas. This action was taken by Colonial Gas due to recent paving of the Dalton Road. A Town by-law states that the opening of any street for this purpose within two years of its paving is prohibited, although the DPW and Board of Selectmen can grant a variance. Ms. Svenson stated that an area measuring only 2' by 2' is

needed for the Gas Company to complete the conversion, and that she had the assurances of Gas Company officials that the work could be performed successfully with very little disruption to the neighborhood.

Sel. Moran made a motion to approve the Application for Appeal of Colonial Gas Company Denial of Street Opening subject to submittal of a performance bond by the Gas Company and in conjunction with recommendations of the DPW Director. Sel. McCall seconded the motion; motion passed unanimously.

**UNSCHEDULED BUSINESS**

BOS Appointments

Sel. Moran made a motion to approve the following Selectmen appointments:

| | |
|---|---|
| Town Counsel | Kopelman & Paige |
| Sewer Commission | James Harrington of Harrington & Rafanelli |
| Board of Registrars | Judith Olsson, Scott Drive, Chelmsford, MA |
| Capital Planning Committee | John Morrison |

Sel. McCall seconded the motion; motion passed unanimously.

The appointment to the Capital Planning Committee to fill the vacancy due to the relocation of Francis Miethe was deferred until discussions with the candidates are complete. A joint meeting of the Board of Selectmen and Board of Health will be held August 21 to appoint an individual to the Board of Health to replace Dr. Paul Canniff who resigned.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, August 21, 2000 at 7 p.m. There being no further business the regular meeting adjourned at 7:35 p.m.

Respectfully submitted,

Janet Murphy

**Public Forum on Proposed Rail Service & Station**

**July 24, 2000**

Minutes of Meeting

A public forum was held at the Senior Center, 75 Groton Road, North Chelmsford on Monday, July 24, 2000 at 7:30 p.m. to hear comments from the public on proposed rail service and railroad station to be located in North Chelmsford. Present were Selectmen William Dalton, Thomas Moran, Philip Eliopoulos, Michael McCall and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

Chairman Eliopoulos opened the meeting by stating that the State of New Hampshire is very interested in extension of current rail service to Lowell, MA. There is a possibility of a commuter rail station being constructed in North Chelmsford. The purpose of this meeting is to hear input from the public on these two issues. Mr. Eliopoulos stated that there probably is little the Town can do to influence whether or not rail service is extended to Lowell. However, depending upon the level of public support, the Town can have direct input on whether a train station would be located in North Chelmsford.

Mr. Lynch gave a history of the project and presented three potential sites for a station: 1) Middlesex Street across from Quigley Avenue; 2) Wotton Street on 10 acres of Town-owned land (fields); and 3) Wotton Street by acquisition of privately owned mill buildings. Feasibility, traffic, public safety and similar studies would be conducted before a location was chosen.

Chairman Eliopoulos introduced State Senator Susan Fargo who stated that she believed Massachusetts was in great need of more public transportation and welcomed the opportunity to hear citizen input. Representative Cleven stated that she requested the State Transportation Committee to do a feasibility study. Beverly Woods, Assistant Director-NMCOG, stated that the State of New Hampshire has a Request for Proposals out for a consultant to provide preliminary cost estimates.

The floor was opened for comments from residents:

1. Richard Hendl, 21 Overlook Drive
   Strongly supports rail service through Chelmsford. A station in No. Chelmsford is mandatory mainly as a way to reduce traffic in Chelmsford.

2. Dick Johnson, 237 Old Westford Road
   Inquired if the line would connect to the Gallagher Terminal in Lowell.
   Would prefer to see a station located in Tyngsboro to alleviate additional traffic in Vinal Square.

3. Mark Connors, 61 Dunstable Road
   Has both positive and negative feelings. On the positive side there will be a great convenience for people who work in Boston. Property values will increase. Would want to see the train slowed down in densely populated areas. On the negative, does not want to see Southwell Park degraded by the presence of a train station. Vinal Square cannot take any

more traffic. Increase in number of trains and horns blasting. Adding new tracks? Wants more information.

4. Sam Poulten, 16 Berkeley Drive
   100% in favor of finding a stop in No. Chelmsford. The station should be located where it will have minimal impact and give maximum benefit. We will benefit by working with the State from the beginning on this project.

5. Jan Spence, 816 Wellman Avenue
   Represents Williamsburg II Board of Trustees. Concerned about decrease in property values, caliber of the neighborhood, being blocked in, impact of high-speed trains, children in neighborhood, Lighthouse School proximity, resident safety, impeding school buses entering and exiting, emergency access, area becoming "depressed."

6. Jeff Gibbons, 529 Wellman Avenue
   Represents Williamsburg I Board of Trustees. Received mostly positive feedback from residents. Feels property values will go up. Would like to see a station in No. Chelmsford.

7. Joyce Johnson, 237 Old Westford Road
   A station located in Wotton Street area would slow down the train in this area of high activity. Prices of homes located near the train in Arlington, MA have skyrocketed.

8. Geraldine Fuller, 203 Wellman Avenue
   Strongly opposed to train service. Is familiar with a number of cases of children being hit by commuter trains in their neighborhoods. Trains would be very noisy for the abutting properties. Guilford Rail would need to add tracks for a commuter rail. There will be no increase in property values. Sees tremendous negative impact on the Williamsburg condominiums and neighborhood.

9. Rose Sergei, 427 Wellman Avenue
   Strongly in favor of train service and station. Spoke to about 100 people in Williamsburg Condominiums, all of whom would welcome rail service. It will improve property values. Placement of a station nearby is critical.

10. Patrick El-Azem, 4 Donna Road
    Questions cost to Town; maintenance costs; possible revenue options for Chelmsford; affect on Vinal Square; parking. Recommends feasibility study.

11. Steve Flynn, 13 Dayton Street
    Referred to Federal laws on noise from train horns and impact of high-speed trains on nearby homes. Guilford owns the train lines, problems with pot holes etc. on Meadowbrook Road rail tracks. Very little satisfaction in getting the matter resolved with Guilford. He prefers to see a station built near Sully's Ice Cream.

12. Jeff Stallard, 103 Tyngsboro Road
    He is an abutter to the train lines near Wellman Avenue. Feels a commuter train will be a reality whether Chelmsford wants it or not. Might as well get something out of it by having access to a station; what about a municipal garage?

13. George Merrill, 108 Dunstable Road
    Gave a history of the trains in Chelmsford. There were as many as 12-24 trains a day in the past. Noise won't be an issue, people can get accustomed to a whistle. Site #2 is wetlands. Site #3 is the only viable location as far as parking, traffic flow and future expansion. Concerned about impact on Vinal Square, use of river for water in the future.

14. Karen McGann
    Opposed to railroad and station due to traffic, safety and noise factors. Why take land and trees to build a building?

15. Liz Marshall, 16 Colonial Drive
    Rail service will provide relief to cars with one person. Parking at Lowell and/or Billerica stations impossible. In favor of railroad and station.

16. Dan O'Brien, 172 Wellman Avenue
    MBTA employee. Trains would go approximately 60 mph. The current track cannot accommodate a high-speed trains. Full tracks need to be built. Freight trains can move faster with an improved track structure.

17. Brian Miner, 186 Wellman Avenue
    What are the Town's plans for emergency access? Is there a written plan? Would like to see a copy of the plan at a future meeting.

Chairman Eliopoulos asked for a show of hands for and against the train and a station in North Chelmsford. By a show of hands, approximately 115 of 125 attendees were in favor. Chairman Eliopoulos thanked the residents for attending the forum. There being no further business, the meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**August 21, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Certificate of Appreciation: Dr. Paul Canniff, Board of Health

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: June 26, July 24
- Railroad Public Forum: July 24

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**
- Cooperative Rock Salt

**Scheduled Business**

**7:10 p.m.** Team Management - Pledge of All-Alcohol License

**7:15 p.m.** Protech Auto Sales - Change in Corporate Name

**7:20 p.m.** Iza Pizza - Change in Hours of Operation

**7:25 p.m.** Energy North - Transfer of Common Victualer License

**7:30 p.m.** Energy North - Transfer of Underground Storage License

**7:40 p.m.** Sterling Golf Management Report - Kevin Osgood

**7:55 p.m.** Facility Management Corporation Report - Robert McBride

**Unscheduled Business**
**Selectmen Reports/Referrals**
**Press Questions**
**Executive Session**

**Next Regular Meeting**: September 11, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**AUGUST 21, 2000**

A regular meeting of the Board of Selectmen was held on August 21, 2000, at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Thermal-Imaging Camera - Acceptance of Gift - Chief Parow

Chief Parow came before the Board to thank the Lions Club and Firefighters Union for their generous gift to be put towards the purchase of a thermal-imaging camera. This technology differentiates between temperatures allowing firefighters to find people in smoky fires. It also aids in searching for people lost in wooded areas. This is a tremendous resource for the town. He thanked both the Lions Club and Firefighters Union for their generosity.

Selectman Moran made a motion that the Town accept the donation of $9,355 each from the Lions Club and the Firefighters Union on behalf of the Chelmsford Fire Department for the purchase of a thermal-imaging camera. Motion seconded, approved unanimously.

Certificate of Appreciation: Dr. Paul Canniff, Board of Health

Selectman Moran read a certificate of appreciation awarded to Dr. Paul Canniff for 26 years of service on the Board of Health. Dr. Canniff thanked the Town and the members of the Board of Health for 26 excellent years. Doug Hausler presented Dr. Canniff with a plaque and thanked him for all his hard work and wisdom in guiding the Town on issues ranging from body piercing to smoking cessation.

## OPEN SESSION

Welcome to Jan and Tom Underwood

Carol Sneden, 4 Laredo Drive, introduced the Board to Tom and Jan Underwood of Maryland. Through a genealogical study, Mr. Underwood discovered that one of his ancestors was one of the original Town forefathers. Mr. Underwood is a direct descendent of a selectman who served for 15 years in the 1600's. The Board welcomed Mr. and Mrs. Underwood to Chelmsford and hoped they enjoyed their stay.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S MEETINGS

B.O.S. Regular Meetings: June 26, July 24 and Railroad Public Forum: July 24

Selectman Moran made a motion to approve the minutes from the regular Board of Selectman meetings dated June 26 and July 24 and from the Railroad Public Forum dated July 24th. Selectman McCall seconded. Mr. Moran requested that the minutes of the July 24th regular meeting be amended to reflect the condition that St. Vartanantz Church submitt proof of TIPS certification prior to release of the approved license. Minutes approved unanimously as amended.

## SCHEDULED BUSINESS

Team Management Group, d/b/a Bainbridge's Restaurant- Pledge of All-Alcohol License

Attorney Victor Manougian came before the Board representing Team Management Group, d/b/a Bainbridge's Restaurant. They are seeking to pledge the All-Alcohol License to Gilet Bros., Inc. in lieu of a security deposit. Selectman Moran requested clarification of the legal ramifications of such a pledge. Mr. Lynch responded that such a pledge gives the lender the first opportunity to take on the All-Alcohol License in the event that the establishment defaults on the loan. The final approval of such a license transfer is subject to approval by the Board.

Selectman Moran made a motion to approve the pledge of the All-Alcohol License currently held by Team Management Group, d/b/a Bainbridge's Restaurant, 75 Princeton St. to Gilet Bros., Inc. Selectman McCall seconded, motion approved unanimously.

Protech Auto Sales - Change in Corporate Name

John Galenius of Protech Auto Sales II, 65 Tyngsboro Road requested a change in corporate name to Protech Auto Sales, Inc. Selectman Moran made a motion to approve the change of corporate name of Protech Auto Sales II to Protech Auto Sales, Inc. Motion seconded, approved unanimously.

IZA Pizza - Change in Hours of Operation

Mr. Lynch explained that due to a death in the family there was no one present to represent IZA Pizza in their request for a change in the hours of operation. Mr. Lynch suggested that since this was a routine request and in deference to IZA Pizza's prior history of cooperation, the Board take up the request despite the absence of representation. The Board agreed.

Selectman Moran made a motion to approve a change in the hours of operation for IZA Pizza, 17 Vinal Square, from 11:00 am - 9:00 pm to 6:00 am - 9:00 pm. Selectman McCall seconded, motion approved unanimously.

Energy North - Transfer of Common Victualer License and Transfer of Underground Storage License

Pat O'Connell of Energy North came before the Board to request a transfer of Common Victualer License and transfer of Underground Storage License of the Chelmsford Quick Mart to Energy North Stores. Selectman Moran made a motion to approve the transfer of Common Victualer License and transfer of Underground Storage License to Energy North Stores, 7 Acton Road. Motion seconded and approved unanimously.

Sterling Golf Management Report - Kevin Osgood

Kevin Osgood of Sterling Golf Management came before the Board to report on the Chelmsford Country Club after five years of management by the group. Mr. Osgood reported on a number of capital improvements undertaken over the last five years. These include a new smoke alarm system, extensive renovations on the course and fairways, an automatic irrigation system, and a new maintenance building. The change to the course has been dramatic and the response from the public positive. Rounds on the whole are up, with small dips due primarily to disruptions from the course renovations. This year rounds are up despite the poor weather.

Cultivating youth interest is a priority. This is being done with a number of programs through Parks and Recreation and a Junior Tour program. Both have been well attended. Rental of the

dining area for small group functions is also up. With continued improvements to the facility this will go up as well.

Mr. Osgood thanked the Town for their cooperation and faith in the project. Mr. Osgood then took questions and comments from the Board. Selectman Dalton said he was impressed with the progress of the course and went on to say that Sterling has done excellent work. Selectman McCall encouraged the public to come out and visit the course and see what has been done there.

Facility Management Corporation Report - Robert McBride

Robert McBride of Facility Management Corporation came before the Board to present a report on the Chelmsford Forum. Facility Management Corporation took over the facility after the Tully Forum was transferred from the control of UMass Lowell in the fall of 1998. One of the first things done was to establish the Forum's identity as part of the Chelmsford community. This process has been done aesthetically with new signs and through the use of Chelmsford's colors as well as with community based skating programs and promotions. A number of facility improvements and repairs have been undertaken as well. New cleaning equipment has been purchased and the snack bar has been renovated. An electric Zamboni is to be purchased as well. New radiant heaters have been installed over the bleachers. On the horizon is the need for repair to the ice undersurface floor. An inspection in May found some weak spots, which have been repaired but there is still a need for long term work.

Mr. Lynch added that a revolving fund has been set up to fund such repairs and make capital improvements. He went on to say that the facility has improved dramatically.

**TOWN MANAGER BIDS/CONTRACT AWARDS**

Rock Salt Contract

Selectman Moran made a motion to approve the contract award to Cargil Salt, North Olmsted, NH for the amount of $27.88 per ton. Motion seconded and approved unanimously.

**TOWN MANAGER APPOINTMENTS**

Selectman Moran made a motion to approve the appointment of precinct workers for Precincts 1-9 for the term of August 2000-2002 as submitted by Town Clerk Mary St. Hilaire. Motion seconded and approved unanimously.

**TOWN MANAGER REPORTS**

Transportation Bond

The transportation bond bill passed, earmarking $1.3 million dollars for traffic lights. The Center Project has reached the 75% phase and is moving on to the 100% phase. Mr. Lynch thanked Senator Fargo and Representative Cleven for their efforts. The project should get underway in the next year.

Skateboard Park and South Row Tennis Courts

Mr. Lynch expressed disappointment that the skateboard park was not complete. There are only a limited number of vendors in this business and they were extremely busy. However, in response to the delays the vendor has installed a better half-pipe than was in the original plan. The park will be open within a few days.

The South Row tennis courts have the base coat in place. The final coat needs to be put on with a projected opening date of early September.

Sidewalk Project

The sidewalks on Acton Road are almost complete. Middlesex St. is next on the list with work starting this week.

DPW Study

Mr. Lynch passed out spreadsheets detailing the recommendations as suggested by the DPW study. Completion date for most of these items is 2003. Some will be taken up before others. One of those items is centralizing the facility. Selectman Weisfeldt commented that the study calls for the hiring of a business manager. He inquired how the business end was handled now. Mr. Lynch said that one of the many hats worn by Jim Pearson was that of the business manager. The Board expressed support for hiring a business manager, freeing Mr. Pearson to concentrate on bigger issues. Selectman Eliopoulos inquired whether there was anything in the study that addressed how referrals are tracked. Mr. Lynch said they are exploring their options in terms of purchasing a software package to better manage all requests for service.

Southwell Field Boat Launch

Mr. Lynch reported that there were concerns over inappropriate boat and jet ski use at the Southwell Field boat launch. The Police Chief has sent a letter to Representative Carol Cleven and to Senator Susan Fargo seeking legislation that would make boater education mandatory. Selectman Moran made a motion to send a letter suggesting a boater education law be put in effect. Motion seconded and approved unanimously.

Library Pink House

Mr. Lynch requested that the board make a motion to approve the sale of the Pink House next to the Adams Library. Renovation costs are prohibitive to the Town. The plan is for the house to be auctioned off and removed from the site by the purchaser. Mr. Moran made a motion to authorize the sale and removal of the Pink House. Motion seconded and approved unanimously.

Committee Handbook and Community Resource Guide

Draft copies of the Committee Handbook and Community Resource Guide were given to the board for their perusal and comments. Mr. Lynch thanked intern Christine Danyow for her efforts in taking on the projects. The Committee Handbook provides information on everything from what the committees do, to how to get appointed. The Resource Guide provides information for new residents and current residents on what recreation sites, activities and cultural events are available in Chelmsford. Both of these documents will be made available on the website.

**SELECTMAN REPORTS AND REFERRALS**

- Selectman Dalton said that in the course of attending a medical emergency at the St.Vartanantz Church over the weekend he found that parking was so tight that it was difficult for the public safety vehicles to get in and out. The church was hosting a party with a One-Day Alcohol License approved by the Board. He recommended strongly that before One-Day Licenses are granted the host provide proof of adequate parking plans. Mr. Lynch agreed with Selectman Dalton's recommendation.

- Selectman Dalton commented on the height of the sound barriers being constructed at the new south bound Interstate 495 rest stop. Mr. Lynch said that the barriers were the product of the hard work the neighborhood residents put in and thought that they would be satisfied with the barriers.

- Selectman Dalton said that he had noticed that the Parks and Recreation Department equipment shed appears inadequate. He went on to say that perhaps the Parks and Recreation Department could use more than two employees. Mr. Lynch responded that this fit in with the overall DPW report. Thought has been given to hiring temporary summer help to address the salaried increase in workload. The centralization of the DPW would address equipment space issues.

- Selectman Moran expressed concern over a number of sites with rusting, rotting trailers on them. The Building Inspector has visited one site in particular and the problem is being addressed, said Mr. Lynch. He would have the Building Inspector step up the inspections. He cautioned the board that in some cases the town by-laws don't address every situation. It was suggested that the by-laws could be looked at with an eye towards improvement in certain areas.

- The street sign for Drexel Road has been stolen again, said Selectman Moran. He requested that it be replaced. Mr. Lynch said that it would be and that he would also revisit attachment alternatives that would discourage would-be sign thieves.

- Mr. Moran suggested that a train station committee be formed. Selectman Eliopoulos said that it was something he had been thinking about as well, but felt that it should wait until plans are firmer, especially in terms of funding sources. Mr. Lynch said that if the Board feels that a committee is warranted it should vote on it and he would see to setting it up. He also wondered if the Board wanted to formally take a position on a local station.

- Nine people attended the Korean War Memorial dedication, said Selectman Moran, expressing regret that it was truly the forgotten war.

- Selectman Eliopoulos met John Cox, the new Lowell City Manager. Mr. Cox expressed disappointment with the vote of one of Chelmsford's legislative members on the Julian Steele Project. Selectman Eliopoulos suggested that the Board endorse the project and congratulate them on their hard work. Selectman Moran made a motion to send a letter of endorsement and congratulation to the City Manager of Lowell over their success in having the Julian Steele Project go through. Motion seconded and passed unanimously.

- Selectman Eliopoulos suggested that a regular meeting schedule set for the 1st and 3rd Monday of the month, or the 2nd and 4th Monday of the month warranted discussion. Such a regular meeting schedule was (1) important for the community, (2) important for applicants and (3) better for the Board in terms of long term schedule planning.

- The approval of the 75% plans for the Town center was good news, said Selectman Eliopoulos. He went on to suggest that once it reached the 100% phase that information be made available to the public about the project. Mr. Lynch said that there is a report on the web, and that as the project moves along something graphical could be produced. Selectman Moran made a motion to approve the preparation of a document outlining the Center Project plan, along with some public relations material. Motion seconded and approved unanimously.

- Selectman Eliopoulos said that he had received an e-mail from Pam Armstrong inquiring about any progress made by CIRO's in addressing the concerns brought up at the June 26th meeting. Mr. Lynch said that there were plans to invite CIRO's back in September for a progress report.

- Selectman Eliopoulos gave out copies of the Drum Hill Rotary plan to Board members. He explained that the rotary would be kept a rotary but with a box shape with lights. Jim Pearson, Andy Sheehan and some traffic engineers would be taking a look at it. More evaluation needed to be done in terms of how much traffic such a configuration could handle. Selectman Eliopoulos said that the plan was subject to review and suggested being aggressive in studying it.

- Selectman McCall said he had attended the last Route 3 advisory meeting in Selectman Eliopoulos' stead. Margaret O'Meara is leaving. The project is getting ready to go to bonding. The plan is to have 2 lanes open at all times with much of the work being done at night. Blasting and tree clearing would take place first. The largest part of the project is the I-495 and Route 3 interchange.

- Selectman McCall reported that he continues to hear concern over the Meadowbrook Railway crossing. He has explained to residents that crossings are privately owned and out of the purview of the Town.

- Selectman McCall suggested that given the diversity of the population using the Town's recreation areas the rules could be posted in other languages in addition to English. Mr. Lynch said he would look into it.

- Selectman Weisfeldt said that the AMA and New England Journal of Medicine has come out with a number of articles citing the dangers of driving while using a hand-held phone. He looked for support from the board to take the position of the AMA that hand-held phone use be restricted while driving. The matter was tabled.

- Selectman Weisfeldt would bring up Selectman McCall's referral concerning the debris that has been left from the Sewer Project at the next Sewer Commission meeting.

- The Commission on Disabilities will host an informational workshop for municipal employees on complying with ADA requirements, reported Selectman Weisfeldt. The date is November 15, 2000.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, September 11, 2000, at 7 p.m. There being no further business, the Board voted by roll to adjourn at 10:15 pm.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**September 11, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: August 21, 2000

**Town Manager Reports**

**Town Manager Appointments**

- Commission on Disabilities

**Town Manager Bids/Contract Awards**

- Police Station Site Work

**Scheduled Business**

**7:30 p.m.** St. Vartanantz Church – Four (4) One-Day All Alcohol Licenses

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: September 25, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**SEPTEMBER 11, 2000**

A regular meeting of the Board of Selectmen was held on September 11, 2000 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

## OPEN SESSION

Joyce Johnson and "Quackers the Duck" of the "Friends of Southwell Park" came before the board to announce the annual Septemberfest to be held September 23 and 24 at the park. A number of community organizations including the Chelmsford Lions are taking part in the event. The event will include amusements, rides, games, snacks, Chelmsford Lions craft fair, storytime, music and more. The weekend will close with the Lucky Duck Race on Sunday afternoon. Ducks can be purchased individually for $5 a duck or $25 for a flock of 7. First prize is $1000, followed by $500 and $100 for 2nd and 3rd places respectively. Ducks can be purchased at the Town Clerk's office and a number of local businesses. Ms. Johnson went on to thank Barry Balan for his help in organizing what promises to be a great community event.

## APPROVAL OF MINUTES – BOARD OF SELECTMEN - AUG. 21, 2000

Selectman Moran made a motion to approve the regular meeting minutes from August 21, 2000. Selectman McCall second, minutes approved unanimously.

## TOWN MANAGER REPORTS

Skateboard Park

The skateboard park has opened successfully, though not without some bumps. Some of the patrons are unhappy with the safety rules requiring helmets and pads and a ban on bikes. The park was vandalized following the eviction of some unruly skaters. The park is staffed with a monitor while open. The park will continue to be staffed and various options are being considered to fund such a position. One option is to have season passes purchased at a reasonable price. This is done in Andover. The proceeds would go to fund a monitor. Selectman Weisfeldt suggested the monitor position could be filled through the Senior Tax Rebate Program. There are plans to install surveillance cameras. Selectman Eliopoulos asked whether there was adequate lighting in and around the park. Mr. Lynch said that would be looked into. The park is set to close November 1st and the bugs will be worked out over the winter. Selectman McCall asked whether there were plans to beautify the area with plantings. Mr. Lynch responded that there were plans to plant some shrubs and trees and install benches and picnic tables. The grand opening is set for September 30, the same day as Community Fun Day.

Unsightly Properties

At the last meeting, some members of the board had expressed concern about the condition of the some properties on Princeton St. and Littleton Road. The Building Inspector and Fire Chief have been out to inspect the properties and make recommendations. Junk cars, trailers and weeds have been removed from the Princeton St. property. Junk cars have been removed from the Littleton Road property. These properties and a few others will be monitored carefully.

Sidewalk Project

The sidewalk on Acton Road is complete. Work has begun on Middlesex St. from the railroad to Vinal Square. Some landtaking is required on Dalton Road. Ultimately the sidewalks will be linked up.

Lowell-Nashua Railroad

A public meeting was held in July to gauge public opinion on a Lowell-Nashua Railway with a station located in Chelmsford. Public reaction to such a project was positive. Mr. Lynch suggested that the Board take a position on the train. A structure for a committee to explore the possibilities of the project has been outlined. The committee would be made up of two Selectmen, an LRTA representative, a CBA representative and two North Chelmsford residents, preferably one person from Williamsburg Condominium I and and one from Williamsburg Condominium II. Selectman Moran supported the idea of voting on the project before setting up the committee. Selectmen Eliopoulos and McCall echoed this support. Selectman Dalton agreed that there was support for the train, but the location of a station was still in question. Selectman Weisfeldt questioned whether support for a station was limited in scope to North Chelmsford. Selectman Eliopoulos responded that the committee would study possible locations for the station. Mr. Lynch confirmed that one of the charges given the committee would be to study possible locations for a station and it's impact on the surrounding community. Selectman Moran made a motion to support a train station for the residents of Chelmsford should such a train become a reality. Motion seconded, motion approved unanimously.

Route 3 Project

The Town Manager and board reviewed a memo concerning the Route 3 project, particularly around sound barriers. Certain locations along the Route 3 corridor have been tested and found to meet the state and federal criteria for the installation of sound barriers. These areas include Scotty Hollow, Marose Ave, Hitching Post Condominiums and Edgelawn Ave. The high school athletic fields are targeted for sound barriers but this isn't a particular priority for the town. There were some areas that didn't meet criteria at this point but may. The state and federal criteria for sound barriers are based on a ratio of dollars and decibel levels. Construction must be taking place for barriers to be erected. Selectman Eliopoulos pointed out that the trees would be cleared in the area, changing the noise level. Selectman Dalton said the locations should be retested following tree removal.

Selectman Eliopoulos has invited the contractor to come in and meet with the board along with a traffic expert to explain the Drum Hill rotary plan, particularly in regard to the signaling patterns. Without such figures, it is difficult to evaluate the plan. As the plan is still in the schematic stage, it is important to conduct an informed evaluation.

West Nile Virus

At this time no spraying is being conducted for mosquitoes. In light of the discovery of some birds infected with the West Nile Virus in the Boston area, the catch basins and certain other areas were treated earlier in the summer. Dead birds are being sent to the proper facilities for testing.

Central Square Project

The 75% phase of the Central Square Project has been approved. The assurances of town approval have been sent to the environmental division. The input of the Chelmsford Historic District Commission will be taken into consideration on the issue of aesthetics. This project is a top priority. A meeting is scheduled with the engineers for September 25th.

Pink House Auction

The Pink House auction is set for Wednesday, September 13. Some residents have expressed an interest in seeing the property restored and used on-site. This doesn't serve the long-term needs of the Town. Restoration costs are prohibitive and the site is needed particularly for additional library parking. Circulation at the library has risen since the renovation. In fact, it has the second highest circulation (next to Andover) in the Merrimack Valley Library Consortium which includes 30 public libraries in the region. The hope is that someone will purchase the house, move it to another location in the community and restore it.

Boater Education Legislation

Letters were sent to Representative Cleven and Senator Fargo expressing the need for a boater education program. The legislation should be drawn up before the year's end. Selectman Dalton thanked Joyce Johnson for drawing Chief McCusker's attention to the problem

Cellular Antennae Bids

Mr. Lynch said that bids have gone out for a small cellular antenna to be mounted on the Town Offices roof. The Board will be updated as the project progresses.

Warrant Draft

Mr. Lynch provided a brief overview of the 22 articles to be presented in the warrant for the Town Meeting scheduled for October 16, 2000. The board requested that Andy Sheehan come in and give an overview of articles 20 and 21, outdoor lighting and senior living facilities respectively. Mr. Lynch would try to get him on the schedule for the September 25 meeting.

**TOWN MANAGER APPOINTMENTS**

Commission on Disabilities

Selectman Moran made a motion to support the appointment of David Singer, 22 Brick Kiln Road to the Commission on Disabilities. Motion seconded, appointment approved unanimously.

**TOWN MANAGER BIDS/CONTRACT AWARDS**

Police Station Site Work

The work on the new police station has been divided between the construction and the site work. With a great deal of input from the contractors bidding on the project, the budget has been reduced. The low bidder for the site work is R. Bates and Sons for the amount of $183,000. They can start by the end of the month.

Selectman Moran made a motion to award the site work contract to R. Bates and Sons in the amount of $183,000. Selectman McCall seconded. Selectman Weisfeldt inquired whether this would bring the project in on budget. The Town hoped it would. The construction work was still out to bid. If those bids came in high, plans would be reworked. The site work needs to be

completed regardless. Selectman Moran asked if there was going to be a big hole that needed to be fenced on the site. Mr. Lynch responded that the area would be leveled and seeded. Discussion ended and contract awarded unanimously.

**SCHEDULED BUSINESS**

St. Vartanantz Church – Three (3) One-Day All Alcohol Licenses

Nona Juknavorian of St. Vartanantz Church came before the board to apply for three (3) one-day liquor licenses. The dates for these events are September 23, October 14 and October 28. Mr. Lynch reminded the Board that there have been concerns over parking at such events. Parking plans are now required by organizations requesting one-day licenses. The building inspector and fire chief will examine and approve these plans. The St. Vartanantz Church has been very cooperative in furnishing parking plans. The Fire Chief has looked at the plan and had a few concerns. Given that the church has acted in good faith in drawing up plans and working with the Town, Mr. Lynch recommended approving the licenses contingent upon their continued cooperation. Ms. Juknavorian requested a joint meeting with the Fire Chief, Building Inspector and Town to finalize the plan. Mr. Lynch said that Marian Currier would arrange such a meeting. Selectman McCall asked whether the church would continue to provide parking lot monitors at these events. Ms. Juknavorian said they would.

Selectman Moran made a motion to approve the one-day liquor licenses for the following dates and times; September 23 from 7 - 12:30 am; October 14 from 6 - 11 pm; and October 28 from 7 - 12:30 am, conditional upon the continued cooperation of the church in providing parking plans. Motion seconded and approved unanimously.

**SELECTMEN REPORTS/REFERRALS**

- Selectman Weisfeldt reported that he had brought forward the referrals concerning sewer work at the last Sewer Commission meeting and was happy to report that they had been taken care of already.
- Selectman Weisfeldt announced that the book sale to benefit the library would take place on September 15th, 16th, and 17th.
- Selectman McCall complimented an employee of Weston and Sampson for taking the time to go out and address the concerns of some residents on the sewer work being done in their neighborhood.
- Selectman McCall mentioned that the annual Town Manager review needed to be done. Selectman Eliopoulos said that he would look at the schedule and see where it could be worked in.
- Selectman Dalton relayed the concerns of a South Chelmsford resident on sewer work being done in the area. He went on to say that while he and the other members of the board were happy to relay concerns around sewer issues, a more direct route was to go directly to the Sewer Commission. The commission has been very responsive in getting back to residents and addressing their concerns.
- Selectman Moran said that at the June 26 Selectmen's meeting a follow-up with Ciro's had been suggested for September. Mr. Lynch said that they were working with Ciro's attorney to schedule a time. The Planning Board was also addressing some aspects of the situation at its September 13 meeting. The follow-up was scheduled for the September 25th meeting.

- Selectman Moran suggested that the appointments to the Board of Health and Capital Planning Board be voted on at the September 25th meeting.

- The community resource book was ready to go to press said Selectman Moran. Mr. Lynch said all that remained was a map. Once a map is completed the book will go to the printer. He went on to say that Selectman Moran had made an excellent suggestion about real estate agents having access to the book. They would print their own copies and distribute them to their customers.

- Selectman Moran inquired about a big, yellow sign on Chelmsford St.. Mr. Lynch said that the building inspector had checked it out and found that it met code.

- Selectman Moran said he would keep the Board apprised of the School Building Needs and Local Access TeleMedia Corp. meetings.

- Selectman Eliopoulos reported the Route 3 construction web site is up and running. The address is www.route3construction.com. Construction schedules will be posted on the site in addition to other information. Selectman Moran suggested a billboard be erected somewhere along the route. Tree removal has been delayed, due to concerns on how it would be carried out.

- Selectman Eliopoulos reminded the Board that open space money is being made available to communities along Route 3 that are losing space. It is time to look into this and explore the opportunity. Mr. Lynch responded that Andy Sheehan is doing research

- The local office for the Route 3 expansion project is located in Billerica, reported Selectman Eliopoulos. It is staffed Monday through Friday to address local concerns. The contractors will be coming out to the Senior Center for a meeting with the CBA and interested members of the public. The meeting has yet to be scheduled.

- Selectman Eliopoulos mentioned the interest of some residents as to whether there will be a public hearing for the Central Square project. Mr. Lynch responded that the project isn't subject to a public hearing at this stage. The project is just down to minor detail changes at the 75% phase. There will be information going out to the public, particularly the business community concerning the project. Information will be in the newsletter and on the website. Selectman Eliopoulos announced the Elks Lodge Soccer Shoot for kids ages 7 and up. Last year over 1,100 kids were involved.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, September 25, 2000 at 7 p.m. There being no further business, the board voted by roll call vote to adjourn at 8:40 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**September 25, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: September 11, 2000

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:15 p.m.** Central Square Traffic Improvements
Vanasse Hangen Brustlin, Inc.

**7:45 p.m.** Joint Meeting Selectmen and Board of Health
Introduction to Candidates; Appointment

**8:00 p.m.** Ciro's Update

**8:15 p.m.** Amalgamated Transportation/Glenview Property
Extension of Deadline for Landfill Grading

**Unscheduled Business**

- Appointment to Capital Planning Committee
- Commission on Disabilities – Vacancy for Elected Official
- License to Sell Christmas Trees – James Rich
- License to Sell Christmas Trees – Gregory Spring

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: Tuesday, October 10, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**SEPTEMBER 25, 2000**

A regular meeting of the Board of Selectmen was held on September 25, 2000 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## OPEN SESSION

Friends of Recycling

Barbara Scavezze, 3 Mountain Laurel Dr. came before the board on behalf of "Friends of Recycling" seeking board support for the approval of a warrant article. The article seeks funding for a 30-hour position for the recycling program. This 30-hour position could fund either one employee or two part-time employees. The reasoning behind the proposal is that the current staffing level supports the status quo. Friends of Recycling believes that in the year 2005 there will be a budget crisis. The Ogden Martin contract will expire at that point and costs will go up. The solid waste program needs to concentrate on reducing waste as a way to control future costs. The funding for the additional hours would come from surplus free cash. The board thanked Ms. Scavezze for coming in and would consider the group's proposal.

Route 3 Expansion - Sound Barriers

Colin and Paula Fretwell, 21 Twiss Road, came before the board to present their concerns and those of their neighbors living on Twiss Road, Waterford Place, Leedburg St. and sections of Main St. over the denial of sound barriers for the area. The neighborhood runs along Route 3. Petitions and letters have been sent concerning a report conducted by Mass Highway that found the area ineligible for sound barriers. The Fretwells cited inaccuracies and discrepancies in the report that could affect the denial. It appears that Waterford Place was never included in the study. Mr. Lynch responded that the Town requested all areas along Route 3 be considered for sound barriers. The Town was very supportive of all efforts to get sound barriers but the final decision was in the hands of the State. The residents were encouraged to keep up their campaign and to attend a meeting to be held with the State and the Route 3 contractors. The meeting, which is open to the public, will likely take place in October. The group requested copies of all correspondence concerning sound barriers and that the Fretwells be notified before the meeting.

## APPROVAL OF MINUTES – BOARD OF SELECTMEN - SEPTEMBER 11, 2000

Selectman Moran made a motion to approve the regular meeting minutes from September 11, 2000. Selectman McCall seconded. Selectman Moran pointed out two minor corrections concerning language. Minutes approved as corrected.

## TOWN MANAGER REPORTS

Property Revaluations

The completed Town Revaluation is available for review at the Board of Assessors and at the library. This update on values is done on an annual basis. The tax rate will be set after the Town Meeting in October.

Affordable Housing

The governor has certified that Chelmsford has met the requirements for executive order 218 concerning affordable housing. This certification makes the Town eligible for grants.

**SCHEDULED BUSINESS**

Central Square Traffic Improvements - Vanasse Hangen Brustlin, Inc.

Jim Pearson, Town Engineer, came before the board to present the Central Square Traffic Improvements plan. The plan has reached the 75% approval phase and should be moving to 100% approval shortly. The biggest change is the relocation of the lights from Old Town Hall to Academy Street. The hope is that construction will begin sometime next year.

Joint Meeting Selectmen and Board of Health - Introduction to Candidates; Appointments

Selectman Eliopoulos invited the members of the Board of Health present at the meeting to come forward for the appointment of a new member to the Board of Health. Candidate Stephanie Levell withdrew her application, leaving only Dr. Earnest Wu. Doug Hausler of the Board of Health announced that Dr. Wu had intended to say a few words but had been called away on a medical emergency. Selectman Dalton nominated Ernest Wu to the Board of Health, Selectman McCall seconded. Nominations closed. Dr. Wu appointed unanimously by the BOS and Board of Health to the position. Selectman Eliopoulos invited Dr. Wu to come in to a future meeting and introduce himself to the community.

Ciro's Update

Peter Lawlor, representing Ciro's, came before the Board to provide an update on the issues discussed at the meeting in June with both the board and Planning Board representative, Pamela Armstrong. At the time, Ciro's was in the process of refinancing and some of the issues would be addressed with the refinancing. The refinancing process has yet to be completed. He began with a summary of the issues discussed at the June meeting. A tax payment plan was worked out with the Treasurer and payments are current. The outdoor dining area has not been used since the summer of '99 at the request of the Building Inspector and the Planning Board. At some point Ciro's will go back before the Planning Board to request a change in the site plan. Parking remains an issue. The sign has been put up and geraniums planted around it. It is still temporary but more respectable. The unfinished second floor remains unfinished. The standards for a sprinkler system are higher for unfinished space than for finished. As all purposes of the lot are accommodated with the current surface, the final coat of hot top is not a priority. The chain link fence erected by the Chelmsford Mall has made it difficult to landscape. Mr. Lawlor concluded by saying that Ciro's was a work in progress. The building is a showcase and the business an asset to the community. He asked for the Board for its support in encouraging Town businesses.

Pamela Armstrong came forward to address these issues. She stated that while she enjoyed Ciro's as a patron she came before the Board as a representative of the Planning Board. The Planning Board is elected to uphold the laws of the Town. Ciro's has been slow to address the concerns of the Board and this sets a bad example for all community businesses. All of the Planning Board concerns were items addressed in the original site plan approved by the Planning Board and agreed to by Ciro's. The Planning Board recommended that the Board of Selectmen take action against Ciro's in the form of license suspension until the issues are resolved.

Selectman Moran made a motion to take the information presented by both Ciro's and the Planning Board under advisement and get back to the parties involved at a later date. Motion seconded and passed unanimously. Selectman Eliopolous requested that Mr. Lawlor provide something in writing from the lender concerning the refinancing. Mr. Lawlor responded that if the lender agreed it would be submitted.

Amalgamated Transportation/Glenview Property - Extension of Deadline for Landfill Grading

Barry Fogel of Keegan, Werlin, and Pabian came before the board representing Amalgamated Transportation requesting written approval to extend the closing date set by the Community Host Agreement for the capping of the Glenview property. The current deadline is October 1, 2000. The completion date for regrading would be extended to October 1, 2001 with the capping to be completed by November 1, 2001. He provided an overview of the work done in the past year. Substantial progress has been made despite the difficulty in obtaining satisfactory fill. The availability of private fill has made a big difference. The project is 2/3 completed. Approximately 70,000 cubic yards of fill is needed to complete the project. Completion of the project is good for both Amalgamated and the Town. The property will become viable and back on the tax rolls.

Selectman Eliopolous inquired whether the one million dollars would be paid if the original deadline were enforced. Mr. Lynch said that it would be paid in a year. Mr. Fogel said that the timeline moves with the extension. He went on to say that the million dollars would be paid with post-closure monies, which are tied to the ability to use the property. Mark Reich, Town Counsel, pointed out that payments would be coming in until the site is capped. Selectman Dalton went on to say that if the extension is not accepted, the Town would receive what remains of the million dollars, but the site will not be capped and will not be on the tax rolls. Mr. Lynch recommended that Town Counsel be given the opportunity draw up the extensions and language that gives the Town full protection regarding payments.

Selectman Moran made a motion to approve the extension of the final regrading to July 31, 2001, with the final payment to be held to October 31, 2001 if the extension deadline is not met. Motion seconded. Discussion ensued. Selectman Eliopolous stated that he was in opposition to the extension. Motion approved with 4 Ayes and 1 Nay.

**UNSCHEDULED BUSINESS**

Appointment to Capital Planning Committee

Selectman Eliopoulos asked the board for nominations to the Capital Planning Committee. Selectman Dalton nominated Tony Volpe to the committee. Selectman Eliopoulos seconded the nomination. Selectman Moran nominated Dennis Bak. Selectman McCall seconded the nomination. The board voted unanimously to approve the appointment of Dennis Bak to the Capital Planning Committee.

Commission on Disabilities - Vacancy for Elected Official

Mr. Lynch sought approval for the appointment of Richard Johnson, 237 Old Westford Road to Commission on Disabilities. Selectman Moran made a motion to approve the appointment of Richard Johnson to the Commission on Disabilities. Selectman McCall seconded, appointment approved unanimously.

Town Meeting Warrant

Selectman Moran made a motion to post the Town Meeting Warrant for the October 16, 2000 meeting. Selectman McCall seconded; motion approved unanimously.

License to Sell Christmas Trees - James Rich and Gregory Spring

Selectman Moran made a motion to approve a license to sell Christmas trees at Central Congregational Church, 1 Worthen St. during the period of Nov. 25 - Dec. 23 from the hours of 9 am to 9 pm. Motion seconded, license approved unanimously.

Selectman Moran made a motion to approve a license to sell Christmas trees to Gregory Spring, 55 Graniteville Road during the period of Dec. 1 - Dec. 24 from the hours of 9 am to 9 pm. Motion seconded, motion approved with one abstention. (Selectman Moran abstained).

**SELECTMEN REPORTS/REFERRALS**

- Selectman Dalton remarked that the sidewalks under construction on Middlesex St. seemed very wide. Mr. Lynch responded that at one time the sidewalks were quite narrow and this may be in response to that. The sidewalks on Dalton Road were widened slightly which gives the illusion that the road is narrowed. This tends to keep speed down.

- The storage trucks on the WalMart site will be removed by January 10 reported Selectman Dalton. Andy Sheehan commented that WalMart intends to seek permission for further storage.

- Selectman Moran reported that he had attended the recent Finance Committee meeting, where it was preparing for the October Town Meeting.

- Selectman Moran said that the Skateboard Park grand opening was set for Saturday, September 30.

- Selectman Moran sought confirmation that Halloween would officially be celebrated on October 31. He was reminded that this was in accordance with a vote taken by the Board the previous year to officially observe all Halloween celebrations on the calendar day of the holiday.

- Selectman Eliopoulos reported on a meeting with Modern Continental where they addressed the Drum Hill Rotary. Mr. Lynch said that they had presented a model presenting traffic pattern simulation. Selectman Weisfeldt said that the contractors seemed to be relatively open to suggestions.

- Selectman Eliopoulos presented the concerns of a resident with a grinder pump failure. Apparently the resident encountered difficulty in obtaining information on who to contact in the event of such a failure. John Coderre said that a pamphlet would be going out to all residents with the necessary phone numbers. Mr. Lynch commented that the situation had been resolved within 24 hours.

- Selectman Eliopoulos recommended Mark Connors as a potential member of the committee to study the train station. Mr. Lynch agreed that Mr. Connors would be an excellent candidate, however he wasn't prepared to make appointments yet.

- Selectman McCall mentioned that there seemed to be an increase in fire lane violations since the WalMart had opened at Drum Hill. Mr. Lynch said that it would be looked into and, if necessary, patrols would be stepped up in the area.
- Selectman McCall commended the DPW on their quick response to fallen limb removal after a recent storm.
- Selectman McCall asked for an update on the Pink House. Mr. Lynch said some parties were interested in purchasing and moving it. The Town was also looking at some estimates for renovating it.
- Selectman Weisfeldt provided a Sewer Commission update. Work to the Northwest area is on schedule. Betterments are being held to approximately half the original estimates for areas on the current schedule.
- Selectman Weisfeldt thanked the Town for its assistance with the Library Book Sale. It was a very successful event.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Tuesday, October 10, 2000 at 7 p.m. There being no further business, the board voted by roll call vote to adjourn at 9:45 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**October 10, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

Proclamation: Fire Prevention Week – October 9 – 15, 2000

**Open Session**

- Chelmsford Housing Authority
- Earnest Wu, M.D., Chelmsford Board of Health

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

- Emergency Management Agency
- Cultural Council
- Railroad Committee

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:15 p.m.** St. John the Evangelist Church – Three (3) One-Day Liquor Licenses

**Unscheduled Business**

- Vote on Warrant Articles
- Route 3 Update

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: October 23, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**OCTOBER 10, 2000**

A regular meeting of the Board of Selectmen was held on October 10, 2000 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Fire Safety Week - October 9-15, 2000

Selectman Moran read a proclamation declaring the week of October 9-15 to be Fire Safety Week. Selectman Dalton accepted the proclamation on Chief Parow's behalf and made a brief speech. He reminded residents of the importance of replacing and checking smoke detector batteries and teaching children home fire escape routes.

## OPEN SESSION

Chelmsford Housing Authority

Dave Hedison of the Chelmsford Housing Authority announced that the Housing Authority has won the largest grant in the state. This grant will fund the development of 51 new units of affordable housing. Mr. Hedison thanked Mr. Lynch, the Board and John Coderre for their assistance. He gave special thanks to Pam Turnbull and Scott Johnson. The application was submitted in May. It received the largest number of support letters of any application submitted. The amount of money received will amount to a little under $7 million. Initially, Mr. Hedison found that Housing Authorities weren't eligible to apply for such grants. They thought creatively and partnered with an elderly housing group. As a result of this a new non-profit board is being created. Selectman Eliopoulos suggested that a member of the board serve as liaison to the group. Mr. Hedison thanked him for his suggestion.

Ernest Wu, M.D. - Chelmsford Board of Health

Dr. Wu came before the board to introduce himself as the newest member of the Board of Health. He thanked Doug Hausler and Dr. Weisfeldt for approaching him about the position and giving him an opportunity to volunteer his time and services to the community he enjoys and respects. He also thanked Jack Emerson and Eileen Duffy for their encouragement.

## TOWN MANAGER REPORTS

Sound Barriers

The concerns of the residents of the Twiss Road area have been followed up with the state. A request has been submitted to reevaluate the area for sound barriers.

Skateboard Park

The installation of lights at the site is being explored. There are definite plans to install a surveillance camera, which will be tied into the school's I-net connection.

Traffic

Traffic continues to be a major concern and priority for the Town and for the Board. The expansion of Route 3 in the long term might improve traffic in Town but in the short term will cause problems. This impact must be measured and addressed with careful planning and

foresight. The DPW director, Planning Board, Traffic and Safety Officer, Selectman Eliopoulos and John Coderre have been attending meetings to address this. The improvements to the Town Center are moving forward. Andy Sheehan and Jim Pearson have been before the Conservation Commission and the Historic District Commission. The Historic District doesn't have authority over the planning of the project, but they do have input into the aesthetics of the light standards and furniture. Much of the work is straight forward and shouldn't disrupt traffic too much.

There are plans to install traffic lights at Golden Cove Road. The developers in that area have contributed to a fund for the installation of lights. Mr. Lynch went on to highlight some other areas in town where traffic or parking continue to be a concern, particularly the Westlands School and the East School.

A discussion ensued regarding the expense of police details needed to manage the traffic situations caused by the Route 3 project. Selectman Eliopoulos responded that there was no money allocated for such a purpose. Selectman Moran said that the Town should push for money to fund details once the scope of the expense is determined. He strongly recommended researching the expense this will create. Selectman Eliopoulos said the best way to approach the State about this was as a group with the other affected communities.

## SCHEDULED BUSINESS

One-Day Alcohol Licenses - St. John the Evangelist Church

Jane Sockey, 5 Jefferson Rd., Tyngsboro, came before the board to request three (3) one-day alcohol licenses for events to be held at St. John the Evangelist Church, 115 Middlesex St. Ms. Sockey said that they are set to attend TIPS certification classes on Oct. 24. The church has submitted an emergency access parking plan as requested by the Board.

Selectman Moran made a motion to grant three (3) one-day alcohol licenses to St. John the Evangelist Church for the dates and times of Oct. 14, 2000 from 6:30-11 pm; November 18, 2000 from 5-8 pm; and Dec. 2, 2000 from 6:30 pm -12 am, subject to the submission of TIPS certification. Motion seconded and approved unanimously.

## TOWN MANAGER APPOINTMENTS

Emergency Management Agency

Mr. Lynch requested the Board vote to approve his appointment of Paul Ericksen, 30 Chelmsford Street, to the Emergency Management Agency.

Selectman Moran made a motion to approve the Town Manager appointment of Paul Erickson to the Emergency Management Agency. Motion seconded, appointment approved unanimously.

Cultural Council

Mr. Lynch requested the Board vote to approve his appointment of Carolyn Wiljanen, 15 Muriel Road to the Cultural Council.

Selectman Moran made a motion to approve the Town Manager appointment of Carolyn Wiljanen to the Cultural Council. Motion seconded, appointment approved unanimously.

Railroad Committee

Mr. Lynch requested that the board vote to appoint Jeffrey Gibbons, 528 Wellman Ave., Williamsburg I; Janice Spence, 816 Wellman Ave., Williamsburg II; and Mark Connors, 61 Dunstable Rd. to the Railroad Committee.

Selectman Moran made a motion to appoint Jeffrey Gibbons, Janice Spence and Mark Connors to the Railroad Committee. Motion seconded and appointments approved unanimously.

Selectman Eliopoulos appointed Mike McCall and Tom Moran to serve on the Railroad Committee. A contract firm has reached the 25% design phase. In that plan Tyngsboro has been slated for a station. The proposed station would be located between the Pheasant Lane Mall and the driving range. It is likely that a proposal for a North Chelmsford station would meet with resistance due to its proximity to the proposed Tyngsboro site. Selectman McCall said that a station was only one of many concerns for the committee to explore.

**UNSCHEDULED BUSINESS**

Warrant Articles

Mr. Lynch went over each warrant article individually giving the board an opportunity to vote on those articles to be supported. A brief synopsis of the articles and motions follow:

- Article1. - Reports to be given by Carol Cleven, Susan Fargo and the Building Needs Committee
- Article 2 - Free Cash transfer of $1 million to the stabilization fund. Discussion ensued concerning the particulars of the transfer. Selectman Dalton made a motion to reduce the $1 million dollar transfer to $900,000 in order to increase the amount intended for tax relief. Motion withdrawn. Transfer amount kept at $1 million.
- Article 3 - Transfer of $750,000 to Tax Relief

Selectman Moran made a motion to support articles 1, 2, and 3. Motion seconded and approved unanimously.

- Article 4 - Amendment to FY2001 Budget
- Article 5 - Medicaid Reimbursement - transfer $93, 556 to the School Department
- Article 6 - Late bills - approximately $3,000
- Article 7 - E-rate reimbursement
- Article 8 - Community Action Program
- Article 9 - Insurance deficit-transfer of Free Cash
- Article 10 - Open Space Fund - Fifty percent of the sale proceeds of foreclosed properties would go towards the fund

Selectman Moran made a motion to support Articles 5-10. Motion seconded and approved unanimously.

- Article 11 - Removal and Prevention of Nuisances - article will likely be withdrawn, reworked and resubmitted for the Spring Town Meeting
- Article 12 - Zoning change - 235 Billerica Road
- Article 13 - Vision obstruction proposed By-Law
- Article 14 - Smith Street property - transfer to water district to reopen a well
- Article 15 - Fifth Avenue property
- Article 16 - Sewer easements
- Article 17 - Automatic amusements

Selectman Moran made a motion to support Articles 14, 15 and 16. Motion seconded and approved unanimously.

- Article 18 - Central Square Improvements Projects land takings
- Article 19 - Outdoor Lighting By-law

Selectman Moran made a motion to support Article 18. Motion seconded and approved unanimously.

- Article 20 - Senior Living facilities
- Article 21 - Revolving fund - adult education
- Article 22 - Petition to Increase Funding for Recycling Coordinator

Selectman Moran made a motion to support Article 21. Motion seconded and approved unanimously.

Route 3 Update

Selectman Eliopoulos went over the schematic of the Drum Hill Rotary design with the members of the Board. Selectman Moran inquired whether a date had been set for a community meeting with Mass Highway and Modern Continental. Selectman Eliopoulos said it was tentatively scheduled for either November 13, 14 or 15th at the Senior Center. A meeting with the CBA and other interested members of the community is set for the evening of October 26 at Reflections. This meeting will be geared towards the business community.

Selectman Eliopoulos recommended sending a letters to Rep. Cleven and Senator Fargo seeking their support for sound barriers. Selectman Eliopoulos said that the best approach for gaining monetary support for local police details was to present a united front with the other PAC members.

**SELECTMEN REPORTS/REFERRALS**

- Selectman Eliopoulos suggested naming the trophy cup for the CHS/BHS Thanksgiving Day Football game the "Brick Kiln Cup". Selectman Weisfeldt said that idea would be considered and he would run it by the Billerica Board of Selectman.
- Selectman McCall commented that Chelmsford was well represented at the Route 3 groundbreaking.
- Selectman McCall requested that one-way violations on Newfield St. be investigated. Mr. Lynch said that traffic counts would be conducted and the matter looked into.
- Selectman McCall recommended the installation of lights at the Skateboard Park. Selectman Eliopoulos said that he had requests to have the park open in the mornings for the younger kids. Mr. Lynch responded that there was an agreement that the park be kept closed during the school hours.
- Selectman Moran mentioned that there seemed to be a car sale every weekend at a particular location on North Road. Mr. Lynch said that the pattern would be documented and the matter looked into. There was a similar thing happening on Boston Road.
- Selectman Moran asked Mr. Lynch when the Community Resource Book was scheduled for release. Mr. Lynch responded that the narrative was complete but there were problems with a map that would be resolved in the next month or so.
- Selectman Moran suggested that perhaps the community would be better served by having the Alcohol License spot checks conducted by trained professionals rather than the Board as is done in other communities. Mr. Lynch concurred with Selectman Moran's suggestion and recommended that the Police Department conduct the spot checks and the

Police Chief report quarterly to the Board with its findings. He thought that this could be done in time to have a report in before the yearly license renewals in December.

- Selectman Moran inquired whether there was anything to report on the matter of Ciro's. Mr. Lynch replied that they were waiting for a report from the building inspector and fire department.
- Selectman Moran reminded the community that the first home football game was scheduled for Friday night at 7 pm. The team is currently undefeated. The new concession stand will be open.
- Selectman Dalton commented that the field behind McFarlin Manor needed some attention and wondered if it was on a regular maintenance schedule. Mr. Lynch said that it was regularly maintained during the season but it needed some long-term attention to improve conditions. Primarily the field was in need of new soil and watering. Selectman Eliopoulos agreed with Selectman Dalton, saying that it could be an asset to the downtown area, but at present it was run down.
- Selectman Dalton asked how things were going with the new trash vendor. Mr. Coderre responded that residential complaints are down in comparison to the number generated towards the end of the contract period with the previous vendor. Mr. Lynch said there have been some bugs to work out with some of the condo complexes regarding the dumpster styles in use. Selectman Dalton brought up concerns regarding the dumpsters at Southwell Field and the fire station. Apparently there is a need for more frequent collections. Mr. Coderre said there had been reports of illegal dumping in the area, necessitating the need for signs.
- Residents from the Woodcrest Condominiums have contacted Selectman Eliopolous regarding sound barriers. Mr. Lynch said that the complex had been considered at one time but the height of the buildings and the proximity to the highway made it cost prohibitive. The condos were also built after the highway. He reiterated that no money could be put towards sound barriers unless construction was already happening at the location.
- Selectman Eliopoulos complimented Mr. Lynch on capturing the board's concerns regarding the contract extension for the Glenview Project.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, October 23, 2000 at 7 p.m. There being no further business, the board voted by roll call vote to adjourn at 9:45 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**October 23, 2000**

**7:15 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Proclamation – Hunger/Homeless Week
  October 23-29, 2000

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

- Historic District Commission
- Recycling Committee

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** M.W.N., Inc.: Change in Hours; Revised Floor Plan

**7:45 p.m.** Drug-Crime Fines & Forfeitures: Police Chief Ray McCusker

**8:00 p.m.** Town Manager Evaluation

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: November 6, 2000

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**OCTOBER 23, 2000**

A regular meeting of the Board of Selectmen was held on October 23, 2000 at the Town Offices beginning at 7:15 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Hunger/Homeless Week - Oct. 23-29, 2000

Selectman Moran made a proclamation declaring the week of October 23-29 to be Hunger/Homeless Week. Sandy Donovan of the Community Food Pantry accepted the proclamation and made a brief speech. She thanked the community for its generosity.

## TOWN MANAGER REPORTS

Freeman Lake

Two of the three components of the lake work have been completed. The valve was replaced in April and the repairs were completed to the spillway. Estimates for the cost of filling the drawdown permits are in. Weston and Sampson calculated a cost of between $50-75,000 to do the work. There is still a need for an environmental impact report on the effects of a drawdown. This would require a separate appropriation. There are still mixed feelings among the residents on the drawdown.

Willis Drive Paving

The paving on Willis Drive should be complete before the end of the paving season. Surveying work is currently underway. There are still about five weeks left before the weather starts to interfere.

## SCHEDULED BUSINESS

M.W.N., Inc.: Change in Hours; Revised Floor Plan

Joseph Shanahan came before the board representing Michelle's Liquors, 124-126 Tyngsboro Rd. seeking the approval of (1) a revised floor plan and (2) a change in the hours of operation to Sunday from 12 pm - 9 pm and Monday-Saturday from 8 am - 11 pm. The change in floor plan was done at the request of Selectman Moran and the Board when it was determined that the previous floor plan didn't allow for a clear line of sight to the back of the store from the counter. A new floor plan was submitted and approved. The owner, William Nget, made modifications to this floor plan improving the counter placement. A revised floor plan reflecting these modifications was presented to the Board for approval. Selectman Moran stated that while the floor plan looked fine, Mr. Nget should have had it approved before implementing it. As this was a public hearing, Selectman Eliopoulos opened the floor to any interested parties.

Dennis Ready, 2 Abbot Lane, spoke in support of approval. He had once been opposed to the licensing of the store, but now that it was exclusively a package store he could support it.

Selectman Moran made a motion to approve the implementation of a change in floor plan within 14 days, conditional upon the removal of four display cases and the submission of a revised plan reflecting clear sight lines, and to approve the change in hours of operation to Mon-Sat. from 8

am to 11 pm and Sunday from 12 pm to 9 pm. Selectman McCall seconded. After some discussion the motion was approved unanimously.

Police Chief Ray McCusker - Ballot Question 8 Presentation

Chief McCusker came before the board to express opposition to Ballot Question 8. Question 8 changes the current drug enforcement laws to decriminalize drug dealing and trafficking. Drug dealers and traffickers could seek treatment and have their records cleared and charges dismissed. All proceeds from property forfeiture would go into a drug treatment fund rather than into programs such as undercover operations, DARE programs and other initiatives. All eleven Massachusetts District Attorneys and the Mass. Chiefs of Police Association oppose Question 8. Chief McCusker encouraged everyone to vote no on Question 8.

## TOWN MANAGER APPOINTMENTS

Historic District Commission

Mr. Lynch requested that the Board vote to approve the appointment of Kathleen Howe to the Historic District Commission.

Selectman Moran made a motion to approve the appointment of Kathleen Howe, 14 Main Street, to the Historic District Commission. Motion seconded, appointment approved unanimously.

Recycling Committee

Mr. Lynch requested that the Board vote to approve the appointment of Lisa Sarnie to the Recycling Committee.

Selectman Moran made a motion to approve the appointment of Lisa Sarnie, 6 Byam Road, to the Recycling Committee. Motion seconded, appointment approved unanimously.

## TOWN MANAGER EVALUATION

Selectman Eliopoulos encouraged the Board to focus on the Comment aspect of the evaluation as opposed to the numbers. Selectman Dalton abstained from offering an evaluation due to the ongoing firefighter contract negotiations.

Selectman McCall complimented Mr. Lynch on his ability to work well with other legislative bodies. His skill with the media in terms of public relations has improved. Mr. McCall gave the Town Manager highest marks for his budget preparation skills. He continues to bring dead-on forecasting skills to this area. He delegates effectively and surrounds himself with an accomplished staff. He is a top-notch manager Mr. McCall gave Mr. Lynch an overall score of 4.5.

Selectman Moran cited Mr. Lynch's skill at Town Meeting and particularly budget preparation. He has been managing a number of major projects, including the police station project, Central Square and Route 3. Selectman Moran also mentioned Mr. Lynch's strong staff and group of department heads. He gave Mr. Lynch an overall score of 4.8.

Mr. Lynch does extremely well at responding to resident concerns and those of the Board and other groups stated Selectman Weisfeldt. He agreed with the others that Mr. Lynch's budgetary skills are excellent. Overall he gave Mr. Lynch a 4.79.

Mr. Lynch has made great strides in increasing communication with the board, noted Selectman Eliopoulos. His skills in Town Meeting preparation are excellent. His ability to delegate to a strong staff has improved greatly. Selectman Eliopoulos suggested continuing the practice of

providing a Status Report. He too had praise for the Town Manager's staff and department heads.

Mr. Lynch thanked the Board for their positive comments. He continues to find the job rewarding. Over the years much had been much has been undertaken and accomplished. He echoed all the praise given his staff and thanked John Coderre especially. Mr. Coderre has become indispensable and enabled him to branch out.

**SELECTMEN REPORTS/REFERRALS**

- Selectman Weisfeldt referred the concerns of the Commission on Disabilities about violations of Handicapped Only parking to Chief McCusker. The Commission would like to see some enforcement options. Chief McCusker said that citations are given to those found violating the rules. Often, people forget to put their placards in the windows. Once they submit proof the citations are dismissed. Selectman McCall went on to comment on the violations of fire lanes specifically at WalMart. Chief McCusker responded that people are moved along at the location.
- Selectman Weisfeldt was pleased to announce that the voting locations would have Optelec technology allowing people who are visually impaired to vote. The machines were donated. The cost to purchase an Optelec machine is $2,900.
- Selectman McCall said that he had spoken at the Senior Center in regards to traffic concerns. He provided people with a number of informational traffic website addresses. He commented that residents were interested in what the Drum Hill Rotary is going to look like. Mr. Lynch said that once Modern Continental gave approval the rotary plans would be posted on the Town's website.
- Selectman McCall pointed out that the parking lot at Friendship Park was without striping and one-way signs. There was also a broken light. Mr. Lynch responded that the striping would be completed in the spring. The playground area in general needs some work. The wooden play structures require quite a bit of upkeep.
- Selectman Moran suggested that the large area businesses should be encouraged to stagger their shifts in an effort to alleviate some of the traffic problems. Selectman Eliopoulos said that Kevin Sullivan would be coming in on November 3 to meet with the major local employers. Selectman Moran went on to say that a definite date needed to be set on the traffic forum. The residents lobbying for sound barriers need some notice.
- Selectman Eliopoulos announced the appointment of Bill Dalton as liaison to the non-profit partnership of the Merrimack Valley Elder Services and the Housing Authority.
- Selectman Eliopoulos asked for an update on The Pink House. Currently the Town is seeking estimates on what it would cost to button the house up. All options are being explored at this point. The space would be useful as storage for the library.
- Selectman Eliopoulos asked Mr. Lynch to address the Brentwood streetlight concerns of Dave McLachlan. Lynch responded that he had been in communication with Mr. McLachlan. The Town is purchasing streetlights rather than renting them. It makes sense to buy all that the Town would need at once rather than individually. Once things are worked out with the electric company streetlights be installed on Brentwood.
- Selectman Eliopolous inquired on the progress of the RCN negotiations. Mr. Lynch said the negotiations are proceeding. As RCN is the only company to submit a proposal, they are driving the pace of the negotiations to accommodate their business plan. A hearing should be held by the end of this year.

- Selectman Eliopoulos said a meeting of the Chelmsford Business Association and Route 3 representatives is set for Thursday, Oct. 26 at Reflections. The meeting is geared towards the business community. Details regarding a Public Forum for residents to be held at the Senior Center are being worked out.
- Selectman Eliopoulos announced the League of Women Voters is holding a candidate night on October 26 at the Senior Center.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, November 6, 2000 at 6:30 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 9:45 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**November 6, 2000**

**6:30 p.m.** **Call to Order—Pledge of Allegiance**

**Town Manager Appointments**
- Historic District

**6:35 p.m.** **Executive Session**

**7:00 p.m.** **Public Service Announcements**
- Proclamations – Regina Jackson, Assistant Veterans Agent
  * Veterans Day
  * Clark Brothers Memorial Dedication

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: September 25, 2000

**Town Manager Reports**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:15 p.m.** Classification Hearing

**7:45 p.m.** Public Hearing: Petition for Conduit Location, Verizon
Place one (1) Pedestal (Sidewalk Splice closure) - Boardwalk

**Unscheduled Business**

- Wellman Avenue No Parking Signs
- Housatonic Avenue & St. Nicholas Avenue Stop Signs

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: November 27, 20002

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**NOVEMBER 6, 2000**

A regular meeting of the Board of Selectmen was held on November 6, 2000 at the Town Offices beginning at 6:30 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

TOWN MANAGER APPOINTMENTS

Mr. Leonard R. Richards, 2 Hart Road, was appointed to the Historic District Commission. He is a long-time Chelmsford resident with a History degree. Selectman Moran made a motion to approve the appointment of Mr. Richards to a term on the Historic District Commission to expire June 30, 2002. Selectman McCall seconded the motion; appointment approved unanimously.

EXECUTIVE SESSION

Selectman Moran made a motion to go into Executive Session at 6:40 p.m. for the purpose of discussing litigation and contract negotiations, to return to Open Session. Selectman McCall seconded and a roll call vote followed: WFD-Aye, PME-Aye, SGW-Aye.

TAX CLASSIFICATION HEARING

Mr. Lynch stated that the tax rate for both residential and commercial property was $17.34 for the fiscal year 2000. For the fiscal year 2001, it will be dropping to an estimated $15.69. He explained that Chelmsford has had a uniform tax rate for residential and commercial properties. He stated that in 1995-96 the tax rate was in the mid-$19.00 range per thousand of evaluation. The drop to $15.69 is based on an increase in home values and the amount of budget surplus that can be brought over each year to bring the rate down.

Diane Philips, Chelmsford Assessor, confirmed that the tax rate would be approximately $15.69. Selectmen Moran, Dalton and McCall stated that lowering the tax rate would be of great benefit to homeowners, with the average yearly tax bill being reduced by about $50 below Prop. 2 ½ levels.

Selectman Moran made a motion to establish a single tax rate of approximately $15.69 for FY 2001. Selectman McCall seconded. Motion passed unanimously.

PUBLIC SERVICE ANNOUNCEMENTS

Mr. Lynch read a list of events planned to celebrate Veterans Day. Events in Chelmsford are scheduled for Friday, November 10 and Saturday, November 11. Regina Jackson, Assistant Veterans Agent, encouraged all residents to attend, and bring children, to the Veterans Day Observance November 11 at 11:00 a.m. at Veterans Memorial Park.

PUBLIC HEARING – PLACE ONE PEDESTAL, BOARDWALK

Kathy Frazier of Verizon appeared regarding permission to place one Pedestal (Sidewalk Splice closure) on Boardwalk, location shown on Plan #977. Selectman Moran made a motion to approve the placement of the Pedestal, subject to the conditions stated in the Town Engineer's review of the petition. Selectman McCall seconded the motion. Motion passed unanimously.

Ms. Frazier was asked the status of double poles in Chelmsford. She stated that there are now 13 double poles, down from 239 originally.

OPEN SESSION

Paula and Colin Fretwell, 21 Twiss Road, appeared before the Board on the matter of sound barriers for their neighborhood in North Chelmsford during the Route 3 project. Ms. Fretwell read from a statement summarizing the neighbors' frustrations that despite efforts by them and assistance from Town officials, the State seems unconcerned and unresponsive to their need for relief during the construction period. She cited the residents concerns: sleep deprivation, noise pollution, and related quality of life issues which the neighbors believe will have a great negative impact on them throughout the duration of the project. In her statement, Ms. Fretwell asked again for Town intervention in their request for sound barriers.

Selectman Eliopoulos, as Route 3 Liaison, stated that the Town has made numerous requests to the State on this matter and has advocated for affected neighborhoods since the project's early planning stages. He reiterated that they will continue to do so, but that the residents should push Senator Fargo and Representative Cleven on the sound barrier matter as well. It is, after all, a State project. Mr. Lynch added that he understood that the State was going to re-visit this issue and re-evaluate certain areas for sound barriers. Selectman Eliopoulos also said that a tentative date in November for a public forum had been set and that the State, the construction company, and officials such as Sen. Fargo and Rep. Cleven would be invited. At this meeting, residents with concerns of any type relative to the Route 3 project could attend and speak. He said this would be an appropriate forum for sound barrier issues. Ms. Fretwell thanked the Board and said she would be certain to attend such a meeting.

Norman McLoon, 8 Leedburg Street asked if there was detailed plan of how the project would be executed. Selectman Eliopoulos said it was a "design/build" project, whereby a rough plan is followed and fine-tuned as the project develops. He said that trees would be coming down in the median strip, but he would like the Chelmsford Tree Warden to meet with the State to see if a reduction in the number of trees removed could help the noise level readings.

Pam O'Meara of Waterford Place asked what more could resident do to secure sound barriers. Selectman Eliopoulos suggested more contact with State Representative and Senator and continuing to write letters in petition format.

APPROVAL OF SELECTMEN'S MEETING MINUTES

Selectman Moran made a motion to approve the minutes of the September 25, 2000 meeting. Selectman McCall noted that several motions which he seconded were omitted on page three. Selectman Moran made a motion to approve the minutes subject to the corrections noted. Selectman McCall seconded; motion passed unanimously.

TOWN MANAGER REPORTS

Ciro's Restaurant

Ciro's attended the September 25, 2000 Selectmen's meeting. Issues pertaining to zoning, health and fire are still unresolved. Selectman Moran requested the status of a letter from Ciro's regarding refinancing. Mr. Lynch advised the Selectmen that he would provide an udpate on these matters with next steps for the November 27 Selectmen's meeting.

Central Square

Andrew Sheehan, Community Development Director, is meeting with the Historic District Commission this evening to discuss the redesign of Central Square. The Massachusetts Historical Commission came to Chelmsford after meeting with Mass. Highway regarding the impact on the Fiske House at the corner of Chelmsford Street and Billerica Road. It will be necessary to cut into the Fiske House property grass in order to widen the road slightly to delineate the traffic lanes and keep them straight. During this process three parking spaces across from the Fiske House will be eliminated. Mr. Lynch stated that this project is still planned to be out to bid in early 2001, with construction to start next Spring.

Police Station

Bids are expected to be out next week; opened in December; contract awarded in January and construction to begin in Spring 2001.

Traffic Management

Police Chief McCusker has submitted a plan to alleviate traffic at several congested intersections: North Road at Parkhurst Road; North Road at Dalton Road; Central Square and Golden Cove Road. The plan calls for signals at these locations. Installation is scheduled for next year.

Greater Lowell Transportation Management Agency (TMA)

Mr. Lynch met with the above organization which works with businesses and organizations to help solve traffic issues in the cities and towns where they are located. Some options are carpooling, public transportation, flex time, "guarantee a ride," etc. The group is affiliated with the Lowell Regional Transit Authority. Mr. Lynch committed to Chelmsford becoming a member of TMA.

UNSCHEDULED BUSINESS

Wellman Avenue – No Parking Signs

Mr. Lynch reported that at the request of the Williamsburg Condominium Association, the Town Engineer and Police were asked to review No Parking zones on the Lighthouse School side of Wellman Avenue. This measure would alleviate congestion during school bus pick-up and drop-off times and allow for a full turn-around of the bus when exiting. The Town Engineer suggested one No Parking zone between the Lighthouse School driveway and utility pole #602/5. A question was raised as to the exact location of the proposed sign. As there were no drawings attached to the recommendation, Mr. Lynch said he would obtain one so the location could be seen. The matter was tabled until sketches are available.

Stop Signs – Bowl Road, Housatonic Avenue and St. Nicholas Avenue

Mr. Lynch reported that at the request of residents, the Police Dept. was asked to review the need for Stop Signs at the above locations. The Police reported that the locations warranted Stop Signs due to increased traffic volume. Selectman Moran made a motion to install Stop Signs at the intersection of St. Nicholas Avenue at Bowl and at the intersection of Housatonic Avenue at Bowl Road. Selectman McCall seconded; motion passed unanimously.

SELECTMEN REPORTS/REFERRALS

* Selectman Dalton noted that the Route 3 Project informational meeting sponsored by the Chelmsford Business Association on October 26 was very informative.

* Selectman Dalton reported on a business alarm that has been going off in the middle of the night at Merrimack Auto Sales on Middlesex Street, causing neighborhood disturbances. Mr. Lynch to investigate.

* Selectman Moran asked the status of the Town Resource Book. Mr. Lynch said that obtaining a suitable map for the book had proven difficult, but he would continue working on it.

* Selectman Moran suggested that a meeting of the Train Committee be scheduled for the first week in December. Mr. Lynch advised that a meeting would be set for early December or early January.

*Selectman Moran asked the status of the Golden Cove Light traffic light. Mr. Lynch said the project is still planned for 2001.

*Selectman Moran commented on the situation with vacant lots and auto repair shops on Route 110. Mr. Lynch said that this area needs continued monitoring and improvements to the appearance of the local businesses. He added that trailers had been removed at Canned Goods Plus but there was still an unused car on the premises that needs removal.

*Selectman Eliopoulos asked the status of the proposed Nuisance By-law. Mr. Lynch said the matter needs more study with regard to Board of Health regulations. There is the issue of how does a town monitor and legislate matters of aesthetics. The by-law would need some fine-tuning in the areas of health and safety before going to Town Meeting for a vote.

*Selectman Moran commented on a car for sale on private property on North Road. He believed this was a different one than one that had been there for several weeks. Mr. Lynch said he believed it was the same car that had been there all along, but would look into it.

*Selectman Moran said he attended the Salvation Army Christmas Castle Breakfast on November 1 and had signed up to participate in their kettle fund raising drive at Christmas. He would like to see other Selectmen participate if possible.

*Selectman McCall said he had received calls on the Willis Drive paving project and was pleased that residents had been sent a letter updating them on the project.

*Selectman McCall was contacted by School Superintendent Moser requesting that he sit on a pre-school building needs committee.

*Selectman McCall noted the number of political signs that had been placed on Town property. He encouraged all residents to vote on November 8.

*Selectman Weisfeldt stated he had missed the most recent Sewer Commission meeting as he had been out of town.

*Selectman Weisfeldt said he had seen a demonstration of the Optelec machine by the Commission on Disabilities. The device assists visually-impaired individuals read documents and will be available at the upcoming election for those who need it.

*Selectman Eliopoulos said he was eager to schedule the Route 3 public meeting and asked that all the appropriate State individuals be invited.

NEXT REGULAR MEETING

The next regular meeting is scheduled for Monday, November 27 at 7:00 p.m.

EXECUTIVE SESSION

Selectman Moran made a motion to return to Executive Session for the purpose of discussing collective bargaining. Selectman McCall seconded and a roll call vote followed: WFD-Aye, PME-Aye, SGW-Aye. There being no further business the regular meeting adjourned at 9:10 p.m.

Respectfully submitted,

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**November 27, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Holiday Decorating Committee: Holiday Lighting and Prelude

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

- Ciro's Update
- Fee Study and Recommendations *(enclosure)*

**Town Manager Bids/Contract Awards**

- Golden Cove Design Contract
- Wireless Communication Rooftop Lease
- Golf Course Management Contract
- Golf Course Restaurant Lease

**Scheduled Business**

**7:30** Public Hearing – Joint Pole Petition, Mill Road

**7:35** Public Hearing – Pole Petition, Mass Electric, Mill Road

**7:40** Transfer of Underground Storage, 81 Tyngsboro Road

**7:45** One Day Auctioneer's License - Tewksbury Stamp & Coin

**7:50** License to Sell Christmas Trees - 1. Chris LaValle
65 Tyngsboro Road

2. Larry Khirallah
Chelmsford Little League
Rte. 110 Field Complex

**** This meeting is televised. ****

**8:00** Transfer of Common Victualer License – Joan Fullen
JT'S 110 Restaurant
257 Littleton Road

**Unscheduled Business**

- Grant of Easement to Sewer Commission -
  Margaret Mills Crooked Spring Brook Reservation

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: December 11, 2000

**BOARD OF SELECTMEN MEETING MINUTES**
**NOVEMBER 27, 2000**

A regular meeting of the Board of Selectmen was held on November 27, 2000 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Holiday Lighting and Prelude

Linda Harrington of the Holiday Decorating Committee came before the board to announce the Holiday Prelude. The festivities are scheduled for Sunday, December 3 from 4-6 pm at the Town Common. Entertainment includes a variety of singing groups, hayrides, and facepainting. Donna and Dennis Ready are providing cookies and hot chocolate. John Harrington is donating hot dogs. Santa will be making an appearance and posing for pictures with the kids.

Barrett-Byam House - Holiday Open House

Bernie Ready announced an Open House to be held at the Barrett-Byam House, 40 Byam Road from 7-9 pm on December 8. The historic house and grounds are decorated for the holidays. Refreshments will be served and tours conducted.

## TOWN MANAGER REPORTS

Ciro's Update

Mr. Lynch reported that Ciro's Restaurant continues to be in non-compliance with the zoning by-laws. The building inspector has issued five citations against the business. Back taxes are still owed. A payment plan was set up in June, but only three payments were made. At this point they are delinquent. Ciro's has been notified that they will be called before the board for a disciplinary hearing on December 11 at 7:45 p.m.

Selectman Moran made a motion to have the board take up a disciplinary hearing against Ciro's Restaurant on December 11, 2000 at 7:45. Motion seconded and approved unanimously.

Fee Study and Recommendation

Mr. Lynch presented the board with a report analyzing the Town's fee structure, including a report comparing Chelmsford's current fees with comparable communities. Fees haven't changed in 12 years. The goal of the fee restructuring is to bring Chelmsford's fees up to date and to have the fees conservatively cover the cost of services. He went over each fee and then opened the floor for discussion.

John Harrington came forward as a representative of the local liquor storeowners and the Chelmsford Business Association. He felt that the $500 fee increase for package stores was exorbitant, particularly for the small storeowners. Mr. Lynch pointed out that the fees had remained the same for 12 years, are quite a bit below comparable communities, and are less than what is necessary to cover costs.

The owner of the Westlands Package Store came forward to express his concern over the proposed fee increase. He said that it would be hard to absorb such a large increase. The profit margins are not what they would be in other communities due to the proximity of Chelmsford to

the New Hampshire border. He went on to question whether it was fair for the business community to take the hit for the Town's failure to raise fees.

Dave Cunha of Country Club U.S.A said that this fee increase would be extremely excessive for his business as he has pool tables, automatic amusements, a food and a liquor license. His business was unique in the community and he was taking on more than his fair share. If the total increase of revenue was $25,000, his single business was taking on 10% of that.

Selectman Moran commented that he felt that Bernie and John Coderre had put together a good package and that fees were necessary but he wondered if there couldn't be a phase in plan. Selectman Eliopoulos agreed that it was fair to raise fees but also supported the idea of a phase in. Selectman Weisfeldt suggested that the fee structure be addressed every two years in the future to prevent this sort of large jump. Mr. Lynch said that they would look at ways to phase in the fee increases and present it to the board at the next meeting.

## TOWN MANAGER BIDS/CONTRACT AWARDS

Golden Cove Design Contract

Mr. Lynch sought approval of a contract award for the Golden Cove Design project to Weston & Sampson. Selectman Moran made a motion to approve the contract award for the Golden Cove Design project to Weston & Sampson for the amount of $33,000. Motion seconded and contract awarded unanimously.

Wireless Communication Rooftop Lease

Mr. Lynch announced a contract award to Voice Stream/Omnipoint for the lease of the Town Offices rooftop for antennae use.

Selectman Moran made a motion to approve the lease of rooftop space to Voice Stream/Omnipoint for a base rate of $35,000 up to $50,000 for ten years. Motion seconded, and contract award approved unanimously.

Golf Course Management Contract

Mr. Lynch reported that Sterling Management, the current contract holder, made the only bid for the golf course and announced his intention to award a contract to Sterling. Selectman Moran made a motion to approve the 3-year contract with a 2-year option (effective 1/1/01) for management of the Chelmsford Country Club to Sterling Golf Management. Motion seconded and approved unanimously.

Golf Course Restaurant Lease

Mr. Lynch reported that Sterling Management, the current contract holder, made the only bid for the golf course restaurant and announced his intention to award a contract to Sterling. Selectman Moran made a motion to approve the 3-year contract with a 2-year option (effective 1/1/01) to Sterling Golf Management for the lease of the Golf Course restaurant for the amount of $1,400 per month with a commitment of $14,000 in capital improvements. Motion seconded and approved unanimously.

## UNSCHEDULED BUSINESS

Grant of Easement to Sewer Commission - Margaret Mills Crooked Spring Brook Reservation

Selectman Moran made a motion to grant an easement to the Sewer Commission in the Margaret Mills Crooked Spring Brook Reservation for the installation of a sewer line. Motion seconded and approved unanimously.

## SCHEDULED BUSINESS

Public Hearing - Joint Pole Petition, Verizon, Mill Road

Kathy Frazier, Verizon, 28 Diana Lane, Dracut came before the board to request the removal and replacement of two poles on Mill Road.

Selectman Moran made a motion to approve the pole petition for a Verizon Co. plan #976 (dated 9/19/2000) to install two utility poles and remove two utility poles on Mill Road. Motion seconded and approved unanimously.

Public Hearing - Pole Petition, Mass Electric, Elizabeth Drive

A representative from Mass Electric came before the board to request the placement of a utility pole on Elizabeth Drive.

Selectman Moran made a motion to approve Mass Electric Co. plan #M-780 (dated 10/31/2000) to install one utility pole on Elizabeth Drive approximately two feet behind the back edge of the paved sidewalk. Motion seconded and approved unanimously.

Transfer of Underground Storage, 81 Tyngsboro Road

As the petitioner was not present to bring the request for a transfer of underground storage forward, Selectman Moran made a motion to table the request until the next meeting. Motion seconded, discussion ensued. Selectman Eliopoulos supported conducting the transfer as it was a routine matter and not a new license. There were also other occasions where a matter was taken up despite the absence of representation. Tabling was supported as the transfer was not time-dependent and waiting wouldn't affect the business. Motion to table approved with a vote of 4-1. Selectman Eliopoulos voted nay.

One Day Auctioneer's License - Tewksbury Stamp & Coin

A. L. Gibson, Tewksbury Stamp & Coin, came before the board to request approval of a One Day Auctioneer's License for the purpose of an auction of jewelry, collectibles, coins and toys to be held December 3 from 12-6 pm at the Radisson Hotel.

Selectman Moran made a motion to approve a One-Day Auctioneer's License for Dec. 3 from 12-6 pm. Motion seconded and approved unanimously.

License to Sell Christmas Trees - Chris LaValle

Selectman Moran made a motion to approve a license to sell Christmas Trees to Chris LaValle from November 28 - December 24 from 9 am - 9 pm. Motion seconded and approved unanimously.

License to Sell Christmas Trees - Larry Khirallah, Chelmsford Little League, Rte. 110 Field Complex

Selectman Moran made a motion to approve a license to sell Christmas Trees to the Chelmsford Little League at the Field Complex on Route 110 for the dates of Dec. 2 - Dec. 16, Sat. and Sun. 10 am to 6 pm and weeknights from 6 pm - 8 pm. Motion seconded and approved unanimously.

Transfer of Common Victualer License - Joan Fullen, JT's 110 Restaurant

Joan Fullen came before the board to request a transfer of Common Victualer License for JT's 110 Restaurant, 257 Littleton Road. Selectman Moran made a motion to approve the transfer of Common Victualer License to Joan Fullen, JT's 110 Restaurant, 257 Littleton Road, for the operating hours of Mon.-Fri. 5 am-2 pm and Sat. 6 am-11 am. Motion seconded and approved unanimously.

**SELECTMEN REPORTS/REFERRALS**

Selectman Weisfeldt:

- thanked the Town Manager for flying the AIDS flag to bring attention to AIDS Awareness Day, December 1st.
- reported that an event sponsored by the Commission on Disabilities was well attended and feedback positive.
- congratulated the CHS football team on their undefeated season. The Brick Kiln Cup was shown. The Billerica Board of Selectman will have it engraved and present it to the board at the following meeting.

Selectman McCall:

- attended the preschool committee hearings where the current system is being evaluated.
- at the request of the residents of Twiss Road and Leedburg Street, went out to the area and observed that the highway noise is very loud, especially now that the leaves have fallen off the trees.

Selectman Eliopoulos:

- announced a meeting with Modern Continental and representatives from the State concerning Route 3. A presentation will be made and the floor opened to residents for a question and answer period. The meeting will be held Wednesday, November 27 at 7 pm at the Senior Center.
- mentioned an event to honor John Chemaly will be sponsored by the March of Dimes at a dinner at the Holiday Inn in Tewksbury on December 4 from 5:30-9 pm.
- hoped to see a good turn out at the Holiday Prelude on Sunday, Dec. 3, from 4-6 at the Town Common.

Selectman Moran:

- attended a number of Veteran's Day events on the November 11 with Selectman McCall.
- complimented the new All-Sports concession stand at the football field.
- requested that the board revisit or even vote on the Freeman Lake drawdown study. He questioned the feasibility of a $75,000 study on whether the lake should be lowered 6 inches. Mr. Lynch responded that at this time they are pursuing a seasonal drawdown. This would make the study unnecessary.

- reported that there have been problems getting the actual certificate for those people that have completed the TIPS certification course. John Harrington came forward to say that the TAM certificates go out within two weeks of the course completion. Selectman Moran asked if there was anyone else that taught the course. Mr. Harrington said he would look into it.

Selectman Dalton:

- reported the sidewalks on Middlesex St. are complete.

Selectman Eliopoulos:

- said the PAC meeting is scheduled for Thursday at noon at Town Offices.
- announced the CBA yearly dinner is scheduled for December 7th.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, December 11, 2000 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining and litigation. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 9 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**December 11, 2000**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Presentation of Brick Kiln Cup
  Peter Coppinger, Chairman - Billerica Board of Selectmen

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Board of Selectmen: October 10
- Executive Session: October 10

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: North Chelmsford Auto Parts
Renewal of Class III Auto Dealer

**7:45** Hearing: Ciro's Restaurant

**8:15** Country Club Too, Inc. – Change in Hours of Operation

**Unscheduled Business**

- Amended Schedule of Fees – December 11, 2000
- Annual License Renewals

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting:** January 8, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**DECEMBER 11, 2000**

A regular meeting of the Board of Selectmen was held on December 11, 2000 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Presentation of Brick Kiln Cup, Peter Coppinger, Chairman - Billerica Board of Selectmen

Peter Coppinger, Chairman of the Billerica Board of Selectman, came before the board to present the Brick Kiln Cup to the Chelmsford Board. The cup is awarded to the victor of the Chelmsford/Billerica Thanksgiving Day football game. The game was won by Chelmsford, 13-12. Mr. Coppinger made a few remarks and presented the cup to Selectman Weisfeldt.

## APPROVAL OF MINUTES

Selectman Moran made a motion to approve the minutes from the October 10 regular meeting and executive session. Motion seconded. Minutes approved unanimously.

## TOWN MANAGER REPORTS

Center Update

Mr. Lynch was happy to report that the Historical Commission supports the Center project. Mass Electric and Verizon are moving forward on design plans for installing the utilities underground.

Cinema Site

Stop and Shop is putting together a proposal for a super store on the old cinema site on Chelmsford Street. The Planning Board will have a number of issues to address with this proposed project.

## UNSCHEDULED BUSINESS

Amended Schedule of Fees

Twelve years have passed since license fees have been adjusted, stated Mr. Lynch. The board expressed concern that the timing of the fee hike was problematic. To that end, the schedule was revisited and adjustments made. In the future, the fees will be reviewed every two or three years. He then read the adjusted schedule and asked the board for a vote. The board agreed that the initial timing was poor, but this was a fair compromise. They also felt that the fees should be reviewed every two or three years. Mr. Lynch recommended the board vote next September on the fee schedule for 2002.

Selectman Moran made a motion to approve the amended fee schedule below for 2001 and vote in September 2001 on the fee schedule for 2002. Motion seconded and approved unanimously.

| Category of License/Permit | Calendar Year 2001 | Calendar Year 2002* |
|---|---|---|
| Automatic Amusement (each device) | $75 | $75 |
| Billiards (per table) | $50 first table; $25 each add'l | $100 first table; $35 each add'l |
| Auctioneer (yearly) | $60 | $60 |
| Auctioneer (one-day) | $40 | $40 |
| Fortune-Tellers | $50 | $50 |
| Taxi (each vehicle) | TBD | TBD |
| Taxi (each operator) | TBD | TBD |
| Class I Auto (sale of new vehicles) | $100 | $100 |
| Class II Auto (sale of used vehicles) | $100 | $100 |
| Class III Auto (salvage yard) | $100 plus $100 inspection fee | $100 plus $100 inspection fee |
| License to Store Explosive/Flammable Materials (per Ch. 148 s.13) | $100 | $100 |
| Common Victualer | $50 | $50 |
| Entertainment Full 7 day | $100 | $100 |
| Entertainment (Sunday one day) | $85 | $85 |
| **Liquor** | | |
| One-Day license (all alcohol) | $60 | $60 |
| One-Day license (beer & wine) | $50 | $50 |
| Club (all alcohol) | $1,000 | $1,000 |
| Package Store (all alcohol) | $1,550 | $1,800 |
| Package Store (beer & wine) | $1,000 | $1,200 |
| Restaurant (all alcohol) | $2,250 | $2,500 |
| Restaurant (beer & wine) | $1,050 | $1,200 |
| Inn Holder (all alcohol) | $2,900 | $3,500 |
| Alteration to Liquor License | $100 | $100 |
| New License Filing Fee | $150 | $150 |

*Calendar Year 2002 fee amendments subject to review and vote of the Board of Selectmen in 2002

## ANNUAL LICENSE RENEWALS

**All Alcohol Club**

Selectman Moran made a motion to approve the following **All Alcohol Club** Licenses for 2001:

The American Legion

Chelmsford Elks, Lodge 2310

Motion to approve seconded. Motion approved unanimously.

**All Alcohol Innholders**

Selectman Moran made a motion to approve the following **All Alcohol Innholders** Licenses for 2001:

PKS Realty, Inc. d/b/a Best Western

**Radisson Heritage Hotel - contingent upon BOS approval of a new Manager at the January 8, 2001 meeting.**

Motion to approve seconded. License renewed unanimously.

**Beer & Wine Restaurant Licenses**

Selectman Moran made a motion to approve the following **Beer & Wine Restaurant Licenses** for 2001:

Amici's Trattoria

Chelmsford House of Pizza & Seafood

Evzon

Jimmy's Pizza, Subs and Seafood

Kastore Restaurant

Papa Gino's

**The Dino Dog d/b/a Jack's Diner - contingent upon the payment of outstanding Personal Property taxes ($65.41)**

Khoo & Ng Corp.

**Seafood Connections Restaurant - contingent upon the payment of outstanding Personal Property taxes ($40.13)**

Motion to approve seconded. Licenses renewed unanimously.

**All Alcohol Restaurant**

Selectman Moran made a motion to approve the following All Alcohol Restaurant Licenses for 2001:

The Banqueteer

**Bertucci's Brick Oven Pizzeria - contingent upon BOS approval of a new Manager at the January 1, 2001 meeting**

**Ciro's Inc. 285 Chelmsford Street - Contingent upon full payment of all outstanding taxes and police detail and coming into compliance with Planning Board and Building Dept. issues.**

**Ciro's Inc. 170 Concord Road - contingent upon Ciro's approval of a new manager at the January 8, 2001 meeting.**

Chelmsford Country Club

Country Club, Too Inc.

**Dutch Uncles, Inc. - subject to payment of back taxes and results of a disciplinary hearing on January 8, 2001**

**Garlic and Pepper Bistro - contingent upon the payment of outstanding Personal Property taxes ($17.78)**

Glenview Lounge and Pub

The Ground Round

Hong & Kong Restaurant

Jimmy's Restaurant IV

Panda Wok, Inc.

Skip's Restaurant

Szechaun Chef Restaurant

Team Management Group

Vincenzo's Restaurant

Motion to approve seconded. Licenses renewed unanimously.

Selectman Moran made a motion not to approve a license for the Town Meeting and Boulevard Lounge Restaurants. Motion seconded. Motion not to renew approved unanimously.

**All Alcohol Package Store**

Selectman Moran made a motion to approve the following All Alcohol Package Store Licenses for 2001:

Drum Hill Liquor Mart

Harrington Wine and Liquors

M.W.N., Inc.

**The Corner Cupboard - contingent upon the payment of outstanding Personal Property taxes ($3.11)**

**The Wine Rack - contingent upon the payment of outstanding Personal Property taxes ($17.62)**

**Vrouhas, Inc. contingent upon the payment of outstanding Real Estate taxes ($14,630.35)**

Westlands Package Store

Motion to approve seconded. Licenses renewed unanimously.

**Beer & Wine Package Store**

Selectman Moran made a motion to approve the following Beer & Wine Store Licenses for 2001:

**Ted's Market - contingent upon a current payment plan with the Finance Director.**

Motion to approve seconded. License renewed unanimously.

**Auto Dealers Licenses**

Selectman Moran made a motion to approve the following Auto Dealers Licenses for 2001:

**Class I**

Route 3A Motors

**Class II**

A+ Auto Body

**Bodyworks - contingent upon the payment of outstanding taxes (In Tax Title $11,246.61 and FY01 outstanding $3,793.49) and outcome of disciplinary hearing for January 8, 2001.**

Bosco Automotive

Chadwick-BaRoss

Chelmsford Auto Sales

Duffy's Auto Co., Inc.

Ferreira Wrecker Sales

J.M. Auto Sales, Inc.

John's Auto Sales

Landry's Automotive

Matt Nicolopoulos

McGovern Automotive

Merrimack Auto Sales
Morton Jaguar Service
N.T.C. Automotive
Northeast Transmission Company
Protech Auto Sales
Silva Garage
Stoney Brook Auto Body
**Tony's Used Cars - contingent upon the payment of 20 outstanding excise tax bills**

Motion to approve seconded. Licenses renewed unanimously.

**Common Victualer Licenses**

Selectman Moran made a motion to approve the following Common Victualer Licenses for 2001:

A+ Mini Market
Adams Corner Variety
Antonio's Pizza
Bianco & Sons Catering
Bickford Family Restaurant
Boston Market Corp.
Bradlee's Snack Bar
**Brickhouse Pizza - contingent upon the payment of outstanding personal property taxes ($30.01)**
Brothers Gourmet Pizzeria
Burger King Restaurant
Café Aroma
Café-Bake Shop
Carvel Ice Cream Store
Carven Catering Services
Chelmsford Center Deli
Common Cup Café
Country Club USA
D'Angelo's Sandwich Shop
Domino's Pizza'
Dunkin Donuts - Drum Hill Road
Dunkin Donuts - Chelmsford Street
**Einstein Brothers Bagels - contingent upon payment of outstanding personal property taxes ($2,513.48)**
Elliot's Hot Dogs
Energy North Stores
Fresh Chow Restaurant
Friendly Ice Cream Corp.

Gary's Ice Cream
Home Made Pasta
I.Z.A. Pizza
JT's 110 Restaurant
McDonald's Restaurant
The Pizza Place
Ray-Lee Corp
Shell Food Mart
Tai Shiang Garden
Timbo's
Togo's
Tony and Ann's Pizza
Village Square Convenience Store
Wal-Mart Stores, Inc.
**Zesty Pizza - contingent upon the payment of outstanding personal property taxes ($80.53)**

Motion to approve seconded. Licenses renewed unanimously.

Selectman Moran made a motion not to approve the Common Victualers license for Brueggher's Bagels. Motion seconded, approved unanimously.

**SCHEDULED BUSINESS**

Public Hearing: North Chelmsford Auto Parts, Renewal of Class III Auto Dealer

Phillip D'Angelo appeared before the board requesting renewal for a Class III Auto Dealer License. Mr. Lynch stated that all reports were in order. Selectman Moran made a motion to approve the license

Disciplinary Hearing - Ciro's

The Chelmsford B.O.S. convened a disciplinary hearing against Ciro's Restaurant for the following reasons, tax delinquency, failure to meet site plan expectations and continued issues with the Fire Department. Mr. Lynch pointed out that the back taxes were paid that day, but Ciro's still owed for police details, fines and personal property taxes. The other items remain at issue.

Peter Lawlor came before the board representing Ciro's Restaurant. Mr. Lawlor stated the back taxes have been paid with a loan, leaving them current with the payment plan. He briefly summarized the other issues. He took issue with the Town, citing Chapter 40 Section 57 of the statutes as grounds for a disciplinary hearing where the outcome could be a loss of license. Zoning issues do not constitute illegal activity as stated in the statute according to Mr. Lawlor. He feels there are other appropriate avenues for the zoning issues, such as the suit the Town has filed.

Counsel for the Town, Mark Reich of Kopelman and Paige, responded that the Board has broad discretion in this matter and was well within the boundaries of Ch. 40 S. 57 and related Town bylaws. Mr. Rich stated that Mr. Lawlor acknowledged that Ciro's had met neither the site plan requirements nor the recommendations of the Fire Chief. To allow Ciro's to ignore these matters

sends a poor message to the business community. The recommendation of counsel was to suspend the license for a period of up to ten days.

The Board brought up various issues surrounding the case and Selectman Eliopoulos invited interested members of the community to come forward.

Planning Board member Pam Armstrong pointed out that the town is run on a balanced budget through the collection of taxes. Ciro's failure to pay theirs in a timely way effects the town.

Planning Board member Kim McKenzie stated that the Planning Board works with the businesses setting a site plan. Ciro's is not complying with a plan that they agreed to at the outset.

Selectman Moran made a motion to adopt the following findings of fact. That the Town provided notice on November 22 that a discipline hearing would be held to address the following findings of fact:

1) Ciro's failure to pay property taxes in accordance with the plan (Ciro's did pay taxes and is current as of December 11)
2) Ciro's failure to comply with 195.04 of the town's zoning bylaws on the specifics of final paving, landscaping and signage.
3) Fire inspector's citations.
4) Patio area is in violation of the site plan.

Motion to adopt these findings of fact seconded. Findings of fact adopted unanimously.

Selectman Moran made a motion to suspend the liquor license held by Ciro's, 285 Chelmsford St. for a period of 10 days effective upon receipt of delivery by the constable. Motion seconded. Suspension approved unanimously.

Country Club Too, Inc. - Change in Hours of Operation

Dave Cunha, Country Club Too, Inc., came before the board requesting a change in the hours of operation. He has applied to extend the hours of operation to 2 am daily. While this change would be reflected on the license, Mr. Cunha pointed out that the club would only be open that late on a limited basis to cover special events. Mr. Lynch said that the police chief is not in favor of extending the hours of operation. He recommended that if the hours are extended that a police detail be assigned on a permanent basis. Mr. Cunha resisted the idea of a permanent detail as unnecessary and cost prohibitive. He went on to say that he has acted in good faith with the town and has been more than accommodating to their recommendations. The Board suggested that Mr. Cunha get temporary extensions for special events.

Selectman Moran made a motion to table the request to extend the hours of operation until January 8th pending a review of the information presented by the police chief and to extend the hours of operation on December 14th until 2 a.m. for a private party. Motion seconded and approved unanimously.

## SELECTMEN REPORTS/REFERRALS

Selectman Weisfeldt:

- Reported on the Commission on Disabilities meeting. Vision impaired voters were able to vote with the aid of technology. Forty people attended the Community Action training program.

Selectman McCall:

- Attended the Preschool Subcommittee Building Needs meeting. Some members of the committee were traveling to Missouri to assess a program there.

Selectman Moran:

- Attended the Finance Committee meeting where Mr. Lynch presented the budget.
- Commented on the number of large trailer trucks on Graniteville Rd. Mr. Lynch said he would ask the Police Chief to investigate.
- Requested an update on the Pink House. Mr. Lynch responded that it would be secured to the elements and painted or vinyl sided. For the moment, it would be used for storage for the Town and Friends of the Library.

Selectman Dalton:

- Said that the dumpster behind the fire station was still inadequate. John Coderre said he had requested a new dumpster for the location and would check into it.
- Requested floodlights be installed on the pond. With the weather getting colder the ice skaters will be out and the darkness creates a hazard. Mr. Coderre responded that Mass Electric does the work and he would check with them on the progress of the installation.

Selectman Eliopolous:

- Reported on the Route 3 PAC meeting. The principals reiterated their promise to retest those neighborhoods for sound barriers. A comprehensive list is being compiled.
- Wished Representative Cleven a speedy recovery and happy holidays to all.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, January 8 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining and real property. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 9:45 p.m.

Respectfully submitted,

Donna McIntosh

# Board of Selectmen Meeting Minutes

## January - December 2001

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## January 8, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

First Place Awards - Town of Chelmsford "2000 Snow Plow Rally"
Mass. Interlocal Insurance Association

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- October 23, 2000: BOS and Executive Session
- November 6, 2000: BOS and Executive Session

**Town Manager Reports**

**Town Manager Appointments**

- Animal Inspector – (One-Month Substitute)
- Deputy Constables

**Town Manager Bids/Contract Awards**

- "Quint" Truck Award

**Scheduled Business**

| | | |
|---|---|---|
| **7:30 p.m.** | Bertucci's Brick Oven Pizzeria: | Change of Manager |
| 7:35 | Public Hearing: | Radisson Heritage Hotel: Transfer of All Alcohol Inn Holder License & Change of Manager |
| 7:40 | Country Club Too: | Change in Hours of Operation (continuation) |
| 7:55 | Ciro's (Concord Road): | Change of Manager |
| 8:05 | St. Vartanantz Church: | One-Day All Alcohol License |

***** This meeting is televised. *****

**Scheduled Business (cont'd)**

8:15 Transfer of Underground Storage: Condor Capital Corporation
81 Tyngsboro Road

8:20 Public Hearing: Application for License to Buy, Sell Second Motor Vehicles – J. P. Rivard Trailer Sales
1 Ward Way, North Chelmsford

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: January 22, 2001

**BOARD OF SELECTMEN MEETING MINUTES**
**JANUARY 8, 2001**

A regular meeting of the Board of Selectmen was held on January 8, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

"2000 Snow Plow Rally" Awards

Mr. Lynch congratulated the winners of the 1st annual local "Snow Plow Rally" held November 17 and sponsored by the Town and the Massachusetts Interlocal Insurance Association. Awards were presented to the following first place teams:

| | |
|---|---|
| **Plow Slalom** | Joe Eriksen |
| | Dave Silva |
| **Backing with Compressor** | Audie Boudreau |
| | Greg Gullage |
| | John Ferreira |
| | Bryan Edwards |

## OPEN SESSION

School Funding Initiative - Mary Frantz

Mary Frantz, 34 Miland Ave. advised the board to vote against the MMA's school finance resolution at the upcoming MMA Conference. The proposal doesn't go far enough in addressing some of the baseline inequities in the current formula. Mr. Lynch agreed that there were problems with the proposal, but expressed concern that it might be the only chance at reform and more funds for Chelmsford next fiscal year.

## APPROVAL OF MINUTES

Selectman Moran made a motion to approve the minutes from the regular meeting and executive session of October 23. Selectman McCall seconded. Minutes approved with the abstention of Selectman Dalton.

Selectman Moran made a motion to approve the minutes from the regular meeting and executive session of November 6 as amended. Selectman McCall seconded. Minutes approved with the abstention of Selectman Dalton.

## BID AWARD

"Quint" Award

Mr. Lynch announced his intention to award the contract to low bidder Central States Fire Apparatus, Lyons, South Dakota for a Quint truck in the amount of $444,900.00 including the trade of two vehicles. Selectman Moran made a motion to approve the award. Selectman McCall seconded, motion approved unanimously.

## TOWN MANAGER REPORTS

Community Preservation Act

The Community Preservation Act was signed into law by the Massachusetts Legislature last year. It allows towns to levy a property tax surcharge from 0-3% for the purchase of open space, historic resources, and affordable housing. Chelmsford could possibly raise a half million dollars form such a surcharge. Adoption of the Community Preservation Act would first need approval at Town Meeting in order to be placed on the April 3, 2001 Town ballot. A variety of exemptions can be put in place. For example, the first $100,000 of value on residential properties could be exempted, thus lessening any impact on lower income property owners and the elderly. Mr. Lynch recommended implementing the plan this year which would enable the Town to receive some matching funds from the State that are currently available. The Assessors Office is preparing reports which will show how much revenue would be generated at various percentage levels.

## UNSCHEDULED BUSINESS

Preliminary Crime Report for Year 2000

Police Chief Ray McCusker came before the Board to present findings from a preliminary crime report for the year 2000. He stated that incidents of burglary and robbery have decreased. Murder statistics have remained unchanged, while aggravated assault has increased. There was also an increase in motor vehicle theft. The Police have traced this activity to members of an Asian gang from Lowell who were apprehended.

A major problem in Town has been vandalism. Mostly these are senseless acts committed by teens. As a way of combating this, a statute is being called into use. The statute states that on the first offense the individual would lose his or her driver's license for one year. Those under the driving age would have to wait an additional year to apply for a driver's license. Given the importance teens place on the ability to drive, the statute is hoped to be quite a deterrent.

Chief McCusker pointed out that there seems to be an increase in alcohol abuse as cited by an increase in OUI arrests. There is also a pronounced increase in medical calls, which will only continue to increase due to the aging of the population in Town.

## SCHEDULED BUSINESS

Public Hearing: Radisson Heritage Hotel: Transfer of All Alcohol Inn Holder License & Change of Manager

Doug Hausler, Attorney-at-Law; representing the Chelmsford Hotel Company, came before the board seeking (1) a transfer of the All Alcohol Inn Holders License and (2) a Change in Manager.

Selectman Moran made a motion to transfer the All-Alcohol Inn Holders License at 10 Independence Drive to Chelmsford Hotel Company a Mass. Trust d/b/a Radisson Hotel and Suites from the Radisson Heritage Hotel and Conference Center d/b/a Chelmsford Hotel Corp. Motion seconded, transfer approved unanimously.

Selectman Moran made a motion to change the manager of the Chelmsford Hotel Company d/b/a Radisson Hotel and Suites, 10 Independence Drive to William F. McDonald, 213 Pinehill Road, Chelmsford, MA. Motion seconded, change in manager approved unanimously.

Country Club Too: Change in Hours of Operation (continuation from December 11, 2000)

Dave Cunha came before the board to request that the continuation of the hearing for a change in hours of operation for the Country Club Too be extended for another six weeks. This was a continuation from the meeting of December 11. There were further changes to the license that would take 6 -8 weeks to work out. The Board advised Mr. Cunha to withdraw the current Change in Hours and file a new application. Mr. Cunha agreed to this.

Ciro's (Concord Road): Change in Manager

John Mendonca, Ciro's, Concord Road came before the board to request a Change in Manager for the Ciro's Restaurant located on Concord Road.

Selectman Moran made a motion to approve a Change in Manager to John Mendonca for Ciro's Restaurant, Concord Road. Motion seconded. Motion approved unanimously.

St. Vartanantz Church: One-Day All Alcohol License

Nona Juknavorian, came before the board to request a One-Day All Alcohol License for St. Vartanantz Church, 180 Old Westford Road for the date of January 27, 2001, between 6 pm and 1 am.

Selectman Moran made a motion to grant a One-Day All Alcohol License for the St. Vartanantz Church, 180 Old Westford Road for January 27, 2001 from 6 pm and 1 am. Motion seconded, license granted unanimously.

Transfer of Underground Storage: Condor Capital Corporation, 81 Tyngsboro Road

Kevin Gillis came before the board to request a transfer of underground storage for Condor Capital Corporation, 81 Tyngsboro Road.

Selectman Moran made a motion to approve the transfer of underground storage of 40,000 gallons of gasoline and/or diesel for Condor Capital Corporation of NOC Realty Trust, 81 Tyngsboro Road. Motion seconded. Transfer approved unanimously.

Public Hearing: Application for License to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles - J.P. Rivard Trailer Sales, 1 Ward Way, North Chelmsford

Joseph Shanahan, Attorney-at-Law representing J.P. Rivard came before the board requesting approval for a License to Buy & Sell Second Hand Motor Vehicles. Mr. Shanahan stated that J.P. Rivard, a Massachusetts Corporation has been in the business for 30 years. For the past four, he has been brokering the sale of truck trailers and boxcar trailers. In the past, a trailer was not considered a motor vehicle as it didn't have a motor and a license wasn't necessary for its sale. Mr. Rivard is finding that to do business in certain other states he does need a license. The Department of Motor Vehicles is also changing its definitions. It would benefit Mr. Rivard to have such a license. Mr. Rivard's business is located at 1 Ward Way and is shared with Bruce Transportation. There is room for 150 trailers, however at any given time there are generally between 90 and 120 on site. This is not a retail site, and no mechanical work is done at the location. Selectman Dalton said that the Building Inspector has approved the site for 110 vehicles. Mr. Shanahan stated that this was not the impression the inspector left with Mr. Rivard, however, they would abide by the Building Inspector's recommendation.

Selectman Moran made a motion to approve a license to Buy, Sell, Exchange or Assemble Second Hand Motor Vehicles or Parts, limited to trailer type sales to J.P. Rivard Trailer Sales, 1 Ward Way, N. Chelmsford and restricting the number of trailers on site to 110 at this time. Motion seconded. License approved unanimously.

Bertucci's, Littleton Road, Change in Manager

Renee Leblanc, NE Restaurant Company, Inc. came before the board to request a change in manager for Bertucci's Restaurant, Littleton Road. The proposed manager is Herve LePlume. Mr. LePlume is TIPS certified.

Selectman Moran made a motion to approve a change in manager for Bertucci's, Littleton Road to Herve LePlume, 212 Cameron St, Pawtucket, RI. Motion seconded. Motion approved unanimously.

## TOWN MANAGER APPOINTMENT

Assistant Animal Inspector

Selectman Moran made a motion to approve the appointment of Carrie Vautour, 11 Fletcher St. as assistant (acting) Animal Inspector. Selectman McCall seconded. Appointment approved unanimously.

## BOARD APPOINTMENTS

Deputy Constables

Selectman Moran made a motion to appoint the following to the office of Deputy Constable for the Town of Chelmsford:

| | |
|---|---|
| Henry Sullivan | 1 Belair Dr., Chelmsford, MA |
| Judith Goffin | 19 Cathy Rd., Chelmsford, MA |
| Kevin V. Whippen | 168 Groton Rd., N. Chelmsford, MA |
| Robert Rallis | PO Box 653, Lowell, MA |
| Michael J. Denihan | 45 Prescott Dr., Chelmsford, MA |
| Joseph R. Connell | 3 Connell Dr., Westford, MA |
| Matthew St. Hilaire | 11 Cross St., Chelmsford, MA |

Selectman McCall seconded, appointments approved unanimously.

## SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt reported receiving a phone call inquiring whether Mass Electric was keeping up with tree limb cutting. Mr. Lynch reported that they were.
- Selectman McCall attended the preschool building needs subcommittee meeting. He also commended the town on their excellent work in removing the snow after a recent storm.
- Selectman Moran recommended that a pedestrian crosswalk be installed across Drum Hill Road. Mr. Lynch agreed that a crosswalk would be helpful, but that traffic patterns and road layout could make installing a crosswalk difficult. He would be following up on the matter.
- Selectman Moran reported attending the first meeting of the Train Committee.
- Selectman Moran reported that according to *The Lowell Sun*, RCN has ended negotiations for the cable contract. They've put a hold on expansion. Selectman Moran recommended sending a strongly worded letter to AT&T Broadband opposing the exorbitant rate hikes for cable service.

- Selectman Dalton passed on a request from a resident on Linwood St. to look into the way trash pick-up is conducted at that address.
- Selectman Dalton referred a request from a resident on Piccadilly Circle to look into the way snow is removed on the street. Mr. Lynch responded that Picadilly is a cul-de-sac which makes snow removal more difficult. The piles tend to end up higher. He would work to alleviate if possible.
- Selectman Dalton corrected some misinformation in a letter to the editor of *The Independent.* He was on record as opposing the first two library proposals.
- Selectman Eliopoulos reported that the list of areas to be retested for sound barriers has been submitted by the Town Manager.
- Selectman Eliopoulos requested an update on the situation on Littleton Road regarding some unsightly properties and zoning by-law violations. Mr. Lynch said that the Town is seeking legal action. The owners of the property have been cited and the matter turned over to legal counsel.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, January 22 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining and litigation. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 8:50 p.m. (Dalton-Aye, Eliopoulos-Aye, McCall-Aye, Moran-Aye, Weisfeldt-Aye).

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## January 22, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Selectmen: November 27, 2000
- Executive Session: November 27, 2000

**Town Manager Reports**

- Community Preservation Act

**Town Manager Appointments**

- Cultural Council
- Recycling Committee

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Application to Store Above Ground Diesel Fuel
Davis Companies/Cadence Design Systems, 270 Billerica Road

**Unscheduled Business**

- Application for Annual Auctioneer's License – James R. Banyas, Jr.
- BOS Vote: Financial Management Policies and Objectives

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: February 12, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**JANUARY 22, 2001**

A regular meeting of the Board of Selectmen was held on January 22, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Selectman Dalton was absent due to illness. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## APPROVAL OF MINUTES

Selectman Moran made a motion to approve the minutes from the regular meeting of November 27, 2000. Selectman McCall seconded. Minutes approved unanimously.

Selectman Moran made a motion to approve the executive session minutes of November 27 as amended. Selectman McCall seconded. Minutes approved unanimously.

## TOWN MANAGER REPORTS

Community Preservation Act

The Community Preservation Act (CPA) was signed into law last year. It is a tool to allow communities to establish a fund to purchase open space through the use of a property tax surcharge of not more than three percent, to be voted on at Town Meeting. Each year at least 10% of the fund must either be spent or set aside for the purchase of open space, historic resources or affordable housing. Mr. Lynch recommended setting the percentage at .5% with a $100,000 exemption on residential property. The average cost per household would be $13-14 per year. The median cost would be $8.50. The first year would raise approximately $150,000. Fifty to seventy-five thousand dollars could be contributed from the state in matching funds. A Community Preservation Committee (CPC) would be formed comprised as follows: one member of the Conservation Committee, one member of the Planning Board, one member of the Housing Authority, one member of the DPW, one member of the Board of Selectman, the Town Manager or designee, the Community Development Coordinator, and a member of the Finance Committee. The CPA is an excellent way for the Town to realize the established goals of maximizing open space, increasing affordable housing and preserving historical sites.

A Special Town Meeting was scheduled in February to take up the issue. The Board would need to approve adoption of the CPA so it could be put on the warrant for Town Meeting approval.

Bob Morse of the Planning Board came before the board to support the adoption of the CPA. He recommended the Town Manager and Board consider raising the percentage slightly or eliminating the $100,000 exemption. Such modifications would maximize the amount the fund could raise without overly burdening taxpayers. The Board inquired of Mr. Lynch whether they were permanently locked into a percentage. He responded that the percentage could be changed with a Town Meeting vote. They were locked into participating in the plan for five years with a minimum of .01%. Selectman Weisfeldt asked Mr. Lynch to respond to resident concerns that this was a way to circumvent Prop. 2 1/2. This fund is tied to open space and voters will have an opportunity to vote on it.

Selectman Moran made a motion to support the adoption of the Community Preservation Act with the Town Manager specifying the appropriate numbers to be taken up at a Special Town Meeting. Motion seconded and approved unanimously.

Cemetery Commission

The Cemetery Commission has been awarded a grant for $20,000 which will go towards the restoration of the Forefathers Cemetery. There will be matching funds from the Town. This project has been in the works for a number of years. Congratulations to John Sousa for his hard work in securing this funding.

Town Budget

This is a transitional year. Good revenues are coming in, however there are signs of moderation. Much hinges on State aid. The budget needs to be in place 90 days before Town Meeting. In all likelihood, the budget will be presented without an exact figure from the School department. The budget will be presented to the Finance Committee next Tuesday, January 30th.

Country Club Litigation

The Country Club eminent domain case goes before the court on Wednesday, January 24. The Town has a solid case.

School Building Needs

The School Building Needs Committee has looked at all the schools. At this time the elementary schools are the lowest priority. There is adequate space and the condition of the schools is fine. The primary focus is on the middle and high school. The cost estimate for the entire project to renovate and expand the McCarthy Middle School, Parker School and the high school is $100 million. This would amount to approximately $240 per household per year for the next 20 years. A discussion ensued over the particulars of this project.

**UNSCHEDULED BUSINESS**

Application for Annual Auctioneer's License - James R. Banyan, Jr.

Selectman Moran made a motion to approve the application for an Annual Auctioneer's License for James R. Banyan, Jr., 37 Broadway St., Westford, MA. Motion seconded, license approved unanimously.

BOS Vote: Financial Management Policies and Objectives

The Financial Management Policies and Objectives are used to guide the administration of finances for the Town. The policy was recently reviewed and a few changes were made. Mr. Lynch highlighted the following changes and requested that the board vote to approve the document.

- Stabilization Fund shall be maintained at 10% of the general operating revenues.
- Debt financing shall be an expenditure of at least $25,000 (increased from $20,000).
- Excess appropriated bond issues shall remain in the Capital Projects Fund until appropriated out by Town Meeting vote.

A brief discussion followed. Selectman Moran made a motion to accept the Financial Management Policies and Objectives dated January 2001. Motion seconded, policies accepted unanimously.

## SCHEDULED BUSINESS

Application to Store Above Ground Diesel Fuel - Davis Companies/Cadence Design Systems, 270 Billerica Road

Selectman Moran made a motion to table the application to store above ground diesel fuel for Davis Companies/Cadence Design Systems, 270 Billerica Road, as the petitioner was not present. Motion seconded, application tabled unanimously.

## TOWN MANAGER APPOINTMENT

Cultural Council

Mr. Lynch requested the board vote to approve his appointment of Carol Kelly-Suleski to the Cultural Council.

Selectman Moran made a motion to appoint Carol Kelly-Suleski, 5 Warwick Dr. to the Cultural Council. Motion seconded, appointment approved unanimously.

Recycling Committee

Given the importance of Solid Waste issues, and his ongoing involvement and participation in recent meetings, Mr. Lynch recommended appointing John Coderre to a position on the Recycling Committee.

Selectman Moran made a motion to approve the appointment of John Coderre to the Recycling Committee through June 30th. Motion seconded, appointment approved unanimously.

## SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt asked how much of the snow removal budget had been expended. Mr. Lynch responded that 65% had been expended as of the previous week. This didn't include the weekend's snowfall. It is likely that the account will be overdrawn, but that's acceptable due to the nature of the account.
- Selectman Weisfeldt commented on the poor quality of the sound broadcast of the meetings. John Coderre said new microphones were on order.
- Selectman McCall brought forward the concerns of some residents over the use of salt on the roads during the last storm. Mr. Lynch said that in general a sand/salt mix was used but there were conditions where it was necessary and appropriate to use salt, such as Friday night.
- Selectman McCall reported there were five candidates being interviewed for the Libra Director position.
- Selectman McCall asked for a response to rumors of Water district consolidation plans. Mr. Lynch said there were no plans to consolidate the water districts.
- Selectman Eliopoulos recommended there be a review of all policies. He proposed a subcommittee to look over the policies and identify things that need to be changed or added. The Board agreed.
- Selectman Eliopoulos requested a project update. Mr. Lynch said it was on the calendar and would be available in the next month or so.
- Modern Continental is looking for feedback on the Steadman St. Bridge reported Selectman Eliopoulos. They have proposed either closing it completely for ten months or leaving one lane open with signalization for the three-year duration of the Route 3

project. They would be willing to pay for police details. Mr. Lynch said he would be meeting with the police department to seek their input.

- Selectman Moran raised the possibility that with the legalization of tattooing, such businesses could be coming to Chelmsford. He suggested restricting the location of tattoo establishments, perhaps to the adult entertainment zone. The Board discussed the merits of such a proposal. Mr. Lynch recommended that the Planning Board be consulted on the matter.

  Selectman Moran made a motion to place an article on the Town Meeting Warrant sanctioning tattoo parlors to the adult entertainment zone. Selectman McCall seconded for the purposes of discussion. Discussion ensued. Motion defeated 4-1.
- There are problems with the double line of traffic that forms from Route 495 to Skip's Restaurant, reported Selectman Moran. There isn't adequate signage. He went on to suggest that a third center turn-lane might be appropriate at this location. Mr. Lynch responded that the police would look into it.
- Selectman Moran complained about the number of roadside signs popping up over the weekend. Bradlees and Levitz were the primary culprits.
- Mr. Lynch said that the Town Resource Book was at the printers, in response to Selectman Moran's query.
- Selectman Moran suggested the parking lot at the Chelmsford Forum be used as a Park and Ride facility. Selectman Eliopoulos encouraged Mr. Lynch to put a proposal together.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, February 12 at 7:00 p.m. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 9:05 p.m. (Eliopoulos-Aye, McCall-Aye, Moran-Aye, Weisfeldt-Aye)

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## February 12, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**
- Proclamation: Town of Chelmsford Scholarship Month - March 2001
- Certificates of Appreciation: Donald Drew, Russell Linstad

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Board of Selectmen December 11, 2000
  January 8, 2001
- Executive Session: December 11, 2000
  January 8, 2001

**Town Manager Reports**

**Town Manager Appointments**
- Board of Appeals

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Application to Store Aboveground Diesel Fuel
Davis Companies/Cadence Design Systems, 270 Billerica Road

**7:35 p.m.** Application for One-Day All Alcohol License – St. John's Church

**7:40 p.m.** Application for License for Aboveground Storage
Turnpike Properties, LLC, 200 Turnpike Road

**8:00 p.m.** **Executive Session**

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: March 12, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**FEBRUARY 12, 2001**

A regular meeting of the Board of Selectmen was held on February 12, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager. Selectman Dalton was not present at the meeting.

## PUBLIC SERVICE ANNOUNCEMENTS

Proclamation: Town of Chelmsford Scholarship Month - March 2001

Selectman Moran read a proclamation declaring March Chelmsford Scholarship Month. The fund is established with voluntary contributions. Scholarships are based on financial need, achievement, character and acceptance to a college. The fund was established in 1957 and since that time $696,000 in scholarships have been awarded. Fifty-nine scholarships have been granted this past year, totaling $41,250.

Neil Lehrer, 4 Manahan St. took the podium and thanked the board for their support. He encouraged residents to both donate to the fund and for those interested to apply. More than 50 percent of those applying received scholarships.

Certificates of Appreciation: Donald Drew, Russell Linstad

Russell Linstad was commended for thirty-two years of service on the Chelmsford Police Department. Mr. Linstad thanked the Town for thirty-two years of wonderful memories and experiences.

Commendation was then given to Donald Drew for thirty-five years of service to the Town as a firefighter. Mr. Drew echoed Mr. Linstad's comments.

Chelmsford High School Alumni Association Dinner - March 24, 2001

George Simonian announced the 11th annual Chelmsford High School Alumni Association Dinner to be held March 24, 2001 at 6 pm at the DoubleTree Hotel in Lowell. All are invited to attend this enjoyable event.

## APPROVAL OF MINUTES

Selectman Moran made a motion to approve the minutes from the December 11, 2000 regular meeting. Motion seconded, minutes approved unanimously.

Selectman Moran made a motion to approve the minutes from the January 8, 2001 regular Board of Selectman meeting. Motion seconded, minutes approved unanimously.

Selectman Moran made a motion to approve the minutes from the December 11, 2000 executive session meeting. Motion seconded, minutes approved unanimously.

Selectman Moran made a motion to approve the minutes from the January 8, 2001 executive session. Motion seconded, minutes approved unanimously.

**TOWN MANAGER REPORTS**

Central Square

The project has cleared the environmental review. The federal highway approval is pending. The project should be put out to bid this spring. Meetings with the utility companies are set.

Resource Book

The resource book map has been contracted to Weston and Sampson. Completion of the project is set for four to five weeks.

Census

The preliminary census numbers are in with the final numbers coming in a few weeks. Andy Sheehan and Mary St. Hilaire are pulling the figures together. The state is coming up with a computer-generated map. Population looks to be 34,000-36,000. There is a possibility that a new precinct will be added. If so, the charter will need to be changed.

350th Anniversary

The year 2005 marks the 350th anniversary of the Town of Chelmsford. Volunteers for a steering committee are invited to come forward.

Pot Holes

Due to the deep frost, potholes are a big problem this winter. The DPW will be out filling them on request. If a pothole is reported via e-mail the DPW has pledged to have it filled within two hours.

Sound Barriers - Route 3 Project

Chuck Kostro is sending a sound barrier update to the Town Manager's office and to the residents requesting the barriers.

School Building Project

Mr. Lynch discussed options for approaching the school building project. A larger scale project could cost approximately $100 million. To do the capital items, increase space and then address some of the programmatic items would cost $60 million. A schematic should serve to clarify the scope and cost of the project. The estimate for the cost of the schematic looks to be $200,000 to $300,000. Mr. Lynch is awaiting more information from the Superintendent on the cost of the schematic.

Budget Summary

The budget for Fiscal Year 2001-2002 was submitted to the Finance Committee and will be voted on at the April Town Meeting. Mr. Lynch warned that tough budget decisions are on the horizon. The economy appears to be turning after years of relative prosperity through the late nineties. A budget goal of the town is to maintain the stabilization fund. He went on to outline the proposed budget for the Fiscal Year 2001-2002.

State aid amounts to less in real funds now than it did in 1988. Local receipts are up a bit. Investments income has increased, as did the hotel tax revenue.

Medicare tax costs have increased by 18.75%. As the payroll grows, these costs will escalate. Health insurance costs are up by 19.5%. Medical costs in general are up. The school budget

appears to be one-half to $1 million over budget. There may come a time when cutting municipal services becomes a reality.

## SCHEDULED BUSINESS

Application to Store Aboveground Diesel Fuel - Davis Companies/Cadence Design Systems, 270 Billerica Road

Larry Disenhauf of Cadence Design Systems, came before the board to request a license to store diesel fuel in an 845 gallon above ground tank at Davis Companies/Cadence Design Systems, 270 Billerica Road.

Selectman Moran made a motion to approve the application to store aboveground diesel fuel in an 845 gallon tank for Davis Companies/Cadence Design Systems, 270 Billerica Road. Motion seconded, application approved unanimously.

Application for One-Day All Alcohol License - St. John's Church

Pat Jamros of St. John's Church came before the board to request a one-day all alcohol license for a St. Patrick's Day Dance on March 17, 2001.

Selectman Moran made motion to approve the license for a one-day all alcohol license to St. John's Church, 115 Middlesex St. for a St. Patrick's Day Dance on March 17, 2001 from 6 pm - 12 am. Motion seconded. Selectman McCall asked whether the server was TIPS certified. Ms. Jamros said that he was. Discussion ended. License approved unanimously.

Application for License for Aboveground Storage - Turnpike Properties, LLC, 200 Turnpike Road

Bob Majozza, Turnpike Properties, LLC, came before the board seeking a license for an aboveground storage tank for 1000 gallons of flammable/combustible gas or liquid storage for Turnpike Properties.

Selectman Moran made a motion to approve the license for aboveground storage to Turnpike Properties, LLC, 200 Turnpike Road for the storage of flammable/combustible gas or liquid storage contingent upon the permit approval by the Fire Chief. Motion seconded, approved unanimously.

## TOWN MANAGER APPOINTMENTS

Board of Appeals

Mr. Lynch appointed William J. Gilet, Sr., 23 Stonehill Rd. to the Board of Appeals as an alternate. Selectman Moran made a motion to approve the appointment of William J. Gilet, 23 Stonehill Rd., North Chelmsford to the Board of Appeals as an alternate. Motion seconded, appointment approved unanimously.

## SELECTMEN REPORTS/REFERRALS

- Selectman Moran brought forward the concerns of residents over drainage issues caused by the expansion of Route 3, particularly about increased amounts of salt entering the water supply wells. Selectman Eliopoulos pointed out that if anything, the expansion will better the water situation as updated drainage methods will be put in place. The catch basin plan will be much better that it is currently.

- Selectman Moran pointed out the continuing problem of trucks on Golden Cove Road. Mr. Lynch will ask Chief McCusker look into it.
- Selectman Moran relayed concerns of a Locke Road resident regarding excessive speeds on this roadway. Mr. Lynch would look to into having speed boards put up and increase enforcement.
- Selectman McCall reported on his attendance at the NMCOG meeting. Lowell City Manager John Cox provided an update on the Route 3 project.
- Selectman McCall asked what would become of any balance in the Community Preservation Fund should the Town decide at the end of the five years not to renew its participation in the program. Mr. Lynch responded that the Town would remain in control of the funds.
- Selectman McCall inquired as to whether any other violations were taken into consideration when licenses are renewed. He mentioned possible concerns of the Commission on Disabilities and the Historic District Commission. Mr. Lynch said he would look into it.
- Selectman McCall reminded the community of the importance of recycling and encouraged everyone to put out their recycling bins. Recycling decreases trash disposal fees.
- Selectman Weisfeldt reported that the Commission on Disabilities has established a scholarship fund. An award will be granted to a deserving disabled student. There will be an increase in enforcement of the handicapped parking restrictions. A subcommittee has been established to study public transportation for the disabled.
- Selectman Weisfeldt asked for an update on the Ciro's situation. The appeal is still pending and there is also legal action pending on the zoning violations.
- Selectman Weisfeldt requested an update on the police station. Mr. Lynch responded that the general contractor bids are due the second week in March.
- Selectman Eliopoulos spoke regarding the Steadman St. Bridge and the Route 3 expansion project. Mass Highway and Modern Continental have proposed two options. The bridge could be closed completely for ten months or closed to one lane for the duration of the project. Selectman Eliopoulos emphasized the need to be cognizant of the concerns Smith Street residents. The Town must come to a decision on the handling of this area. Mr. Lynch said that he had met with John Greeley of Modern Continental about this and other issues, including developing criteria for the open space requests.
- Selectman Eliopoulos requested a report on Glenview Sand and Gravel. Mr. Lynch said that he would have it the following month.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, February 26, 2001 at 6:45 p.m. The board voted to go into executive session for the purpose of discussing litigation and a criminal investigation. There being no further business, the board voted by roll call vote to adjourn the regular meeting at 9 p.m.

Respectfully submitted,

Donna McIntosh

## BOARD OF SELECTMEN MEETING MINUTES

**February 22, 2001**

A meeting of the Board of Selectmen was held on February 22, 2001 at the Town Offices beginning at 12:00 Noon. Board members present were Thomas Moran, Philip Eliopoulos, Stuart Weisfeldt, and William Dalton. Town Manager Bernard Lynch, Treasurer Fred Mansfield, and Assistant Town Manager John Coderre were also present.

Sale of Municipal Purpose Loan of 2001 Bonds

Selectman Eliopoulos made a motion to approve the sale of the $10,021,000 Municipal Purpose Loan of 2001 dated March 1, 2001, to Roosevelt & Cross, Incorporated at the price of par and accrued interest is hereby confirmed. The bonds shall be payable on March 1 of the years and in the principal amounts and bear interest at the respective rates as listed, subject to earlier redemption at the option of the Town as provided in the Preliminary Official Statement dated February 1, 2001.

| Year | Amount | Interest Rate | Year | Amount | Interest Rate |
|---|---|---|---|---|---|
| 2002 | $771,000 | 6.00% | 2012 | $410,000 | 4.35% |
| 2003 | 770,000 | 4.50 | 2013 | 410,000 | 4.45 |
| 2004 | 770,000 | 4.00 | 2014 | 410,000 | 4.55 |
| 2005 | 770,000 | 4.00 | 2015 | 410,000 | 4.65 |
| 2006 | 770,000 | 4.00 | 2016 | 410,000 | 4.75 |
| 2007 | 415,000 | 4.00 | 2017 | 410,000 | 4.80 |
| 2008 | 415,000 | 4.00 | 2018 | 410,000 | 4.90 |
| 2009 | 415,000 | 4.00 | 2019 | 410,000 | 5.00 |
| 2010 | 415,000 | 4.15 | 2020 | 410,000 | 5.00 |
| 2011 | 410,000 | 4.25 | 2021 | 410,000 | 5.00 |

Selectman Eliopoulos further motioned that the consent dated February 15, 2001 to the financial advisor bidding for bonds is hereby confirmed. Selectman Weisfeldt seconded, and the motions passed unanimously.

There being no further business, the meeting was adjourned.

Respectfully submitted

Janet Murphy

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## February 26, 2001

***Location of Meeting: Senior Center***

**6:45 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Certificate of Appreciation: John Walsh

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

- Historic District Commission

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**6:50 p.m.** Public Hearing – Pole – Mill Road

**6:55 p.m.** Public Hearing – Poles – Parkerville Road

**7:00 p.m.** Transfer of Class II Auto Dealers License
Winners Circle Auto Sales, 65 Tyngsboro Road

**Unscheduled Business**

- Orders of Taking: Dennison Road/Locke Road Area, Phase 4C Sewers
- BOS Vote: Proposition 2 ½ Override

**Selectmen Reports/Referrals**

**Executive Session**

**Press Questions**

**Next Regular Meeting**: March 19, 2001

**BOARD OF SELECTMEN MEETING MINUTES**
**FEBRUARY 26, 2001**

A regular meeting of the Board of Selectmen was held on February 26, 2001 at the Senior Center beginning at 6:45 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## UNSCHEDULED BUSINESS

Steadman St. Bridge Closure

Mr. Lynch requested the boards' support of a letter to Modern Continental recommending the closure of the Steadman St. Bridge for a period of ten months during the Route 3 expansion project. After the ten month period fines in the amount of $5,000 per month would be levied against Modern Continental for any construction delays. A discussion ensued around this proposal. Selectman Eliopoulos stated he would not support the letter without assurances that Smith St. be closed to local traffic and stronger language included regarding penalties for construction delays. Mr. Lynch agreed that trucks should be banned from using Smith St. during this period but anything beyond that was impractical.

Selectman Eliopoulos raised another concern about the State's plan to close the Route 3 South off ramp at the Drum Hill Rotary. Specifically, he believes the closing of the Route 3 South off ramp would have an adverse effect on the businesses downtown and in the Historic District, and to neighborhoods close to other Route 3 interchanges.

Selectman Moran made a motion to approve a letter to John Greeley of Modern Continental dated February 26, 2001 regarding the closure of Steadman Street. Selectman McCall seconded, discussion continued. Selectman Eliopoulos reiterated his objection to the plan as outlined in the letter. Motion approved 4-1, with Selectman Eliopoulos dissenting.

## PUBLIC SERVICE ANNOUNCEMENTS

Certificate of Appreciation: John Walsh

John Walsh was commended for 30 years of service to the town of Chelmsford as a police officer and awarded a certificate of appreciation. He thanked everyone and stated that he had enjoyed his job and was most proud that he was able to make a difference in the lives of some people.

## TOWN MANAGER APPOINTMENTS

Historic District Commission

Mr. Lynch appointed Richard Burkinshaw, 83 Westford St. to the Historic District Commission. Mr. Burkinshaw is a property owner in the Historic District.
Selectman Moran made a motion to approve the appointment of Richard Burkinshaw, 83 Westford St., Chelmsford to the Historic District Commission to fulfill the unexpired 3-year term vacated by Tom Doyle. Motion seconded, appointment approved unanimously.

## SCHEDULED BUSINESS

Public Hearing - Pole Petition - Parkerville Road

Kathy Fraiser of Verizon New England, came before the board to request installation of a pole on Parkerville Road. Ms. Frasier pointed out there were concerns on the part of abutters. Verizon looked to secure an easement for lot 10 on 4th Lane but was denied. Verizon would agree that a tree could be used in place of a pole on Parkerville Road. Abutters Tom Peterson, 47 Parkerville Road, and Christopher Kearney, 49 Parkerville Road, agreed to the proposal. Mr. Frasier recommended that the plan be accepted conditionally upon the approval of Mass Electric and final review of the Town Manager.

Selectman Moran made a motion to approve the amended Verizon/Mass Electric Plan #978 to install two poles on 4th Lane and anchor wires to a tree on Parkerville Road conditional upon the submission of a plan to reflect these changes and approval by the Town Manager. Motion seconded and approved unanimously.

Transfer of Class II Auto Dealers License Winners Circle Auto Sales, 65 Tyngsboro Road

John Santoro, 26 Sugar Pine Lane, Methuen came before the board to request a transfer of class II auto dealers license from ProTech Auto Sales. John Galenius, current owner will remain as manager. All other parameters of the license will remain the same. Selectman Dalton inquired as to whether cars will be wholesaled at this location. Mr. Santoro replied that there would be no wholesaling at that location.

Selectman Moran made a motion to approve the transfer of Class II Auto License to John Santoro, 65 Sugar Pine Lane, Methuen, Winners Circle Auto Sales, 65 Tyngsboro Road. Motion seconded, and approved unanimously.

## UNSCHEDULED BUSINESS

Orders of Taking: Dennison Road/Locke Road Area, Phase 4C Sewers

Selectman Moran made a motion to approve the orders of taking for Dennison Road/Locke Road Area Phase 4C Sewers. Motion seconded and approved unanimously.

BOS Vote: Firefighter Contract

Selectman Moran made a motion to approve the contract agreement with the Firefighter's Union as negotiated by the Town Manager. Motion seconded, contract approved with one abstention. (Selectman Dalton abstained to avoid a conflict of interest.)

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, March 19, 2001 at 7:00 p.m. There being no further business the meeting adjourned at 7:30.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## March 19, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Board of Selectmen: February 22, 2001

**Town Manager Reports**

**Town Manager Appointment**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: Application for Wine & Malt Common Victualer License
Cleopasta, Inc., d/b/a Home Made Pasta Italian Restaurant
61 Central Square

**7:45 p.m.** Application for Common Victualer License: Starbucks Coffee Co. Inc
101 Drum Hill Road

**7:50 p.m.** Transfer of Common Victualer License: Café Aroma to Kell's Café
40 Chelmsford Street

**Unscheduled Business**

- Annual Town Meeting Warrant

**Selectmen Reports/Referrals**

**Press Questions**

**Next Regular Meeting**: March 28, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**MARCH 19, 2001**

A regular meeting of the Board of Selectmen was held on March 19, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## APPROVAL OF MINUTES

Selectman Moran made a motion to approve the minutes from the February 22, 2001 regular meeting. Motion seconded, minutes approved unanimously.

## TOWN MANAGER REPORTS

Zoning Issues

The Town is currently involved in litigation against Ciro's restaurant regarding violations of the site plan. The Town is also preparing to take action against a property on Route 110. The owners have agreed to have the property loamed and seeded by April.

FY 2002 Budget

Mr. Lynch discussed some variables affecting the structure of the FY 2002 budget. These items include the bond sale and the Nashoba Valley Tech assessment. Some of the bigger issues involve projections for the future expenditures. Escalating health insurance costs continue to be a factor.

Capital Budget

The Capital Planning Committee voted on the inclusion of two versions of the capital budget to cover the capital expenses of the Town and schools. The funding sources of both budgets is approximately $3.2 million. Plan A sets aside $546,000 for possible use on the school building schematic. Plan B sets aside $750,000 for the schematic and reduces some of the money for other school related projects.

Selectman Eliopoulos questioned the amount of the capital budget as being higher than in past years. Mr. Lynch responded that $1.5 million is generally bonded over five years and the funds are spent on items having that life span. This year it was increased to $2.5 million with $1.5 million bonded over ten years. The additional funds that make up the $3.2 million come from one-time sources including unexpended bond proceeds and unused assessor's overlay.

Snow Budget

Due to the severity of the winter the budget for snow removal is approximately $250,000 over budget. One hundred inches of snow has fallen as opposed to the average forty-five inches. Selectman Dalton pointed out the excellent work of the DPW in dealing with the most recent storm. The board echoed his praise.

Steadman Street

Modern Continental doesn't feel it can accommodate the traffic mitigation plans and parameters outlined in a letter regarding the possible closure of Steadman Street for a period of nine to ten months. They are considering going back to the original plan of building a bridge next to the current Steadman St. Bridge. The bridge would be closed to one lane for the duration of the project, which could go as long as three years. The board commented on the impact this will

have on the area. Selectman Eliopoulos suggested that while the issue is still alive for Modern Continental, they are backing off from complete closure of the bridge.

**SCHEDULED BUSINESS**

Application for Wine & Malt Common Victualer License: Cleopasta, Inc., d/b/a Home Made Pasta Italian Restaurant, 61 Central Square

Atty. Brian Sullivan came before the board representing Cleopasta, Inc., to request a Wine & Malt Common Victualer License for Home Made Pasta Italian Restaurant, 61 Central Square. Mr. Sullivan said that in order to meet the needs of the restaurant's loyal customers and to be competitive with other local restaurants, the owner, Cleonice Fazolarri is requesting a wine and beer license. The hours of operation would be from 11:30 am - 9:00 pm Monday - Saturday and 11:30 am - 11 pm on Sunday. Mr. Sullivan went on to confirm that the Ms. Fazolarri has a copy of the liquor regulations and is scheduled for TIPS training on April 22.

Selectman Eliopoulos informed Mr. Sullivan that it was the board's policy to have a waiting period before voting on matters of liquor licenses. This was amenable to Mr. Sullivan and his client. Selectman Moran made a motion to table the final discussion of a liquor license for Cleopasta, Inc., d/b/a Home Made Pasta Italian Restaurant, 61 Central Square until the following meeting. Motion seconded and approved unanimously.

Application for Common Victualer License: Starbucks Coffee Co. Inc., 101 Drum Hill Road

Stephen DelRose, 7 Pleasant Garden Circle, Canton, MA, construction manager for Starbucks Coffee Company, Inc. came before the board to request a Common Victualer License for Starbucks Coffee Co. Inc., 101 Drum Hill Road. The location is the former site of Brueggher's Bagels.

Selectman Moran made a motion to approve a Common Victualer License to Starbucks Coffee Co., Inc., 101 Drum Hill Road for the hours of operation of 5:30 am-12 am, weekdays and 7 am-8 pm on Sundays. Motion seconded, license approved unanimously.

Transfer of Common Victualer License: Café Aroma to Kell's Café, 40 Chelmsford Street

Laura Kell, 164 Main St., Westford, MA came before the board to request a transfer of Common Victualer License from Café Aroma, 40 Chelmsford St. to Kell's Café. Selectman Eliopoulos removed himself from the proceedings to avoid a conflict of interest. Ms. Kell cited her experience as a cook and caterer as preparation for such a venture.

Selectman Moran made a motion to approve a Transfer of Common Victualer License from Café Aroma to Kell's Café, 40 Chelmsford Street for the hours of operation from 6 a.m. - 8 p.m., Weekdays and 8 a.m. - 5 p.m. on Sunday. Motion seconded, transfer approved with one abstention.

**TOWN MEETING WARRANT**

In the interest of time and expediency, Selectman Eliopoulos requested that the board ask questions or seek clarification of specific articles rather than go through the articles one by one. Selectman Moran asked if $262,000 was a firm number for Article 6. Mr. Lynch replied that it was not. Mr. Moran went on to ask what the source for the funding was. Mr. Lynch said that part of the money came from lottery money. He then took the opportunity to clarify the purpose of the stabilization fund. The stabilization fund, established eight years ago, is designed to be used in a planned manner and to accommodate one-time expenditures and emergencies.

Questions were raised by the board regarding Article 18, which limits body art (tattooing) establishments to commercially zoned areas. The board questioned the inclusion of the CA (neighborhood) zone and recommended that a letter be drafted to the Planning Board, recommending that the CA zone be removed from the article. Selectman Moran made a motion to draft a letter to the Planning Board recommending the removal of the CA zone from Article 18. Motion seconded, approved unanimously.

Selectman McCall asked for clarification of Articles 20 and 21, which pertain to the abandonment and rezoning of a portion of Monmouth St. Article 20 sponsored by the town gives the right to the town to abandon a portion of Monmouth St. Article 21 seeks to rezone the portion.

Selectman Moran made a motion to post the Town Meeting Warrant as discussed. Motion seconded and approved unanimously.

**OPEN SESSION**

Courtyard Condominiums/Russell Disposal

Phyllis Napolitana, 360 Littleton Road brought forward the concerns of residents of the Courtyard Condominiums regarding the poor service Russell Disposal has delivered to the complex. The trash container enclosures allegedly sustained damage due to carelessness on the part of Russell. Mr. Lynch said the town has been working with Russell and Courtyard to resolve the problem. John Coderre went on to say that the problem stems from the use of a different size dumpster by Russell. The enclosures are rotting and are in need of replacement independent of any damage caused by Russell. The property manager at Courtyard has had the doors removed from the enclosures as a temporary measure. The enclosures will be replaced with new ones that accommodate the size of the dumpsters.

Carol Moore, Littleton Road said there was a need for more recycling containers. Mr. Coderre said he would look into having more made available. Ms. Moore went on to support Ms. Napolitana's claim of Russell's negligence. She also stated that they drove much too fast through the complex.

Don Desfosse, 360 Littleton Road elaborated on the damage sustained to the dumpster enclosures. Mr. Lynch said that John Coderre had put a great deal of time in working with Russell and the condominium property manager. The property manager would be replacing the old rotting enclosures with new chain link enclosures that meet the dimensions of the dumpsters currently used. Mr. Coderre said that he would bring up the issue of speeding with Russell and would continue to monitor the situation.

**SELECTMAN REPORTS AND REFERRALS**

- Selectman Dalton reported that he had attended the Capital Planning Committee meeting and the Planning Board meeting. He commended the Capital Planning Committee for their careful consideration of the capital budget.
- The new desk for the Selectmen's room that is being built by students at Nashoba Tech, is nearly complete, said Selectman Dalton.
- Selectman Weisfeldt said the Commission on Disabilities was seeking representation in the school improvement process. He pointed out that all buildings meet ADA requirements anyway.

- Selectman Weisfeldt emphasized the need for stringent health codes for tattooing establishments. Boston has a good model. Mr. Lynch said that he would speak with Richard Day on the subject.
- In response to a question from Selectman Weisfeldt regarding the bike trail, Mr. Lynch said that it could be bid out as early as July or August. The funds are available for this state project.
- Selectman McCall mentioned a letter sent by the Chelmsford Business Association regarding the increase in licensing fees. The letter requested more information. Mr. Lynch responded that the CBA received all available information on the topic and he was unclear on what more he could provide for them.
- Selectman McCall commented on how bad the pothole situation seemed to be. Mr. Lynch said that due to the severe winter the potholes were bad but the DPW was doing its best to keep up and advised the community to contact them when they encountered them.
- Selectmen McCall and Weisfeldt commented on how they enjoyed reading to elementary school students on read-in day.
- Selectman Eliopoulos informed the board that Modern Continental has received all approvals needed to proceed on the Route 3 project. The work should be starting in earnest soon. The jersey barriers are being delivered and tree clearing should begin in the next several weeks.
- Selectman Eliopoulos requested the town go over the measures taken to inform and prepare residents for blasting along the Route 3 corridor. This is of particular concern for residents on Smith Street. The area should be visited and inspections done prior to blasting.
- Selectman Moran commented on the addition of poles in the center area. Mr. Lynch said that the wires will be buried but the utility companies have decided that some of the existing poles need to be replaced.
- Selectman Moran requested the Freeman Lake situation be revisited. The current fix is of a temporary nature. Mr. Lynch responded that Jim Pearson would go and look it over.
- The truck traffic on Graniteville Road continues to be a problem said Selectman Moran. In fact residents say it has become worse. Mr. Lynch pointed out that a truck exclusion might solve the problem, but it would have to come from both Chelmsford and Westford to be effective. Mr. Lynch encouraged residents to call with their concerns.
- Selectman Moran encouraged Mr. Lynch to have a study conducted on Richardson Road at Princeton to evaluate the traffic there.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Wednesday, March 28, 2001 at 6:45 p.m. at the library. This is a joint meeting with the School Committee and the Finance Committee. There being no further business, the board voted by roll call vote to adjourn at 9 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## March 28, 2001

***Location of Meeting: Adams Library Meeting Room***

**6:45 p.m.** Call to Order – Pledge of Allegiance

**Scheduled Business**

**6:45 p.m.** Continuation – Application for Wine and Malt Common Victualer License
Cleopasta, Inc., d/b/a Home Made Pasta Italian Restaurant
61 Central Square

**6:50 p.m.** Republican Seat on Board of Registrars

**7:00 p.m.** Nashoba Valley Technical School Committee Appointments
Joint Meeting with School Committee and Town Moderator

**7:15 p.m.** Joint Meeting: Finance Committee, School Committee, Board of Selectmen

1. Audit Presentation & Review
2. FY 2002
3. Five-Year Plan
4. School Facility Project

**Next Regular Meeting**: April 9, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**

**MARCH 28, 2001**

A regular meeting of the Board of Selectmen was held on March 28, 2001 at the Adams Library beginning at 6:45 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager. A joint meeting with the Finance Committee and the School Committee began at 7:15 p.m.

Application for Wine & Malt Common Victualer License: Cleopasta, Inc., d/b/a Home Made Pasta Italian Restaurant, 61 Central Square - continuation

Selectman Moran made a motion to approve the wine and beer license for Cleopasta, Inc. d/b/a Home Made Pasta Italian Restaurant, 61 Central Square for the hours of operation from 11:30 am-9 pm, Monday-Saturday and 11:30 am-11 pm on Sunday. Motion seconded, license approved unanimously.

Republican Seat on Board of Registrars

Selectman Moran made a motion to appoint Matthew G. Dulchinos, 17 Spaulding Road to the seat on the Republican Board of Registrars for a 3-year term. Selectman McCall seconded, appointment approved unanimously.

Nashoba School Committee Election - Regular and Alternate Seat

Dennis McHugh, acting as moderator, called the joint session of the Board of Selectmen and the School Committee to order for the purpose of electing two representatives to the Nashoba Valley Tech. School Committee. The candidates were called in alphabetical order to make a one-minute presentation and then answer questions from the two boards.

Brian Duffy, 181 Littleton Road cited his five years in education as experience for either the full-time or alternate position. He is a big advocate for vocational education and feels it offers students many opportunities. Selectman Moran asked if he thought more emphasis should be placed upon vocational school as an option for students currently in the public school system. Mr. Duffy replied that recruiting efforts should be conducted in the public schools, starting in the eighth grade. Selectman Moran then asked for Mr. Duffy's opinion on the MCAS test. Mr. Duffy feels that testing is important however there may be the need for special tests for vocational students. Sheila Pichette asked if Mr. Duffy had attended any Nashoba School Committee Meetings. He replied that he had recently moved to the area and hadn't had the opportunity yet. Judy Mallette inquired why the position appealed to Mr. Duffy. He cited his prior teaching experience and the fact that he has the time to give to the committee.

Ralph Hulslander, 74 Smith St. stated that he had previously held the position and wished to be reappointed as an alternate. He had recently served on the new building committee and had also held spots on the budget and finance committee. Selectman Moran asked for his opinions on enrollment and the MCAS test. Mr. Hulslander stated that there

needed to be standards however, they shouldn't take away from the day-to-day learning process. Word of mouth is the primary way to get the word out on the excellent opportunities afforded by the school. Sheila Pichette asked what the major responsibilities of the board were in Mr. Hulslander's opinion. Mr. Hulslander replied that it was oversight and monitoring.

Robert Joyce, 103 Turnpike Road, cited his experience in a number of Town functions such as the Board of Selectmen, Sewer Commission and Town Meeting Rep. as qualifications for the full-time committee seat. Mr. Joyce reported that he was impressed with the building and the staff at Nashoba Valley. He wished to share his knowledge of the high tech industry. Selectman Moran inquired of his opinion on the MCAS test and enrollment. Mr. Joyce said the school has strengthened its academic program. The school is dealing with the challenge in an appropriate way. On the MCAS in general he felt that the importance of the test could be de-emphasized. They shouldn't be putting all their eggs in one basket.

Selectman Eliopoulos made a motion to vote that evening instead of postponing the vote until a later meeting. The change would be for this appointment only. Selectman Moran seconded the motion. Motion approved unanimously.

Mr. McHugh called for nominations for the permanent position to the Nashoba Valley School Committee. Selectman Dalton nominated Robert Joyce. Selectman Moran seconded. Judy Mallette nominated Brian Duffy. Mary Jo Griffin seconded. The vote followed with Robert Joyce elected to the position by a vote of 9 to 1.

Mr. McHugh called for nominations for the alternate seat to the Nashoba Valley School Committee. Selectman McCall nominated Ralph Hulslander to the alternate position. Nomination seconded. Ralph Hulslander was elected to the alternate seat by a unanimous vote.

The Board of Selectmen and School Committee voted to adjourn the joint session at 7:40 p.m. by unanimous vote.

**JOINT MEETING: FINANCE COMMITTEE, SCHOOL COMMITTEE, AND BOARD OF SELECTMEN**

Selectman Eliopoulos welcomed the Selectmen, Finance Committee and School Committee to the joint meeting. The purpose of the meeting was to address the following items: the annual audit, the architect's report on the school improvement proposal, the Five-Year Financial Plan and the preliminary design for the school project.

Audit Presentation & Review

Bob Brown and Christopher Lafayette of R.E. Brown and Company came before the boards to present the audit report. The audit consists of General Purpose Financial Statements, Auditors Report, and Management Letter. Mr. Brown highlighted some items from the report. Ninety-six percent of tax revenues have been collected. The

internal controls are excellent. New government accounting standards, known as GASB Statement 34, will go into effect in FY 2003, for which the Town is preparing.

Nothing critical was found in the management letter. A few items from the previous year are being followed up on. One new item is a deficit in the school lunch fund. An increase of fifteen cents at the elementary level and twenty-five cents on the secondary level per meal has been proposed. Bob Cruickshank, business manager for the School Department, responded. He said that the fund is currently in the positive. All of the childcare lunches are funded through this fund. This leads to a delay in payment, but the fund is currently in the black. The auditors took some questions from the Finance Committee.

Architect's Report on the School Project

Two years ago, the School Building Needs Committee looked at all the schools in great depth. It was determined that the schools need renovations and additions to meet the needs of the students and programs. The school needs were prioritized and the scope was narrowed to include the improvements to the two middle schools and the high school. The School Building Assistance (SBA) program reimburses for this kind of work. Dr. Moser, Supt. of Schools, introduced Owen Beenhouwer and Nancy Angney of the architectural firm DRA to further the discussion.

Mr. Beenhouwer explained that the project needs to be taken from the feasibility study phase, which identified the needs, to the preliminary design. This is a more complete and detailed phase that can be taken to the voters and then to the SBA to be assessed for reimbursement. The SBA funds approximately two/thirds of such projects if approved. The SBA favors comprehensive projects that will take a community through the next 30-plus years. Selectman Dalton questioned the way the fee for the preliminary study seems to keep growing. Mr. Beenhouwer explained the structure of preliminary study fees as being 10% of the total architectural fee, which amounts to $7 - 8 million. The $7 - 8 million is a part of the total project costs, which are reimbursable. The projected scope for the project that meets the program needs as targeted by the feasibility study puts it in the $103 million range. However, this figure is not locked in at this point. The preliminary study will bring the details of the project into focus and provide a complete cost picture. Nancy Angney of DRA took the floor and provided more specifics on classroom size as mandated by the state. Both Mr. Beenhouwer and Ms. Angney emphasized that the schools' programmatic needs and the needs of the students dictated the scope and priorities of the project.

FY 2002

Mr. Lynch stated that planning for the FY 2002 budget is nearing completion. This has been a difficult year to predict. State aid is unknown at this point. There are indications that the State budget will fall $250 million short. Signs point to difficult times ahead. Employee health insurance costs are growing and will continue to rise.

Dr. Moser presented a five-year plan for the schools. Included in the budget for the present year were the costs incurred from 38 retirements. Retirement package costs were slightly offset by new hires brought in at lower salaries. Clare Jeannotte of the Finance Committee encouraged the School Department to expand and improve upon their five-year projections.

Five-Year Plan

Mr. Lynch presented the revised five-year financial forecast. He discussed some of the specifics of the plan. There will be a planned draw on the stabilization fund to offset debt service costs in FY 2003. The goal is to continue to hold the stabilization fund between 8-10% of the operating budget even while using it.

Selectman Eliopoulos emphasized the importance of looking and planning ahead. Both the School Department and the Town as a whole should be looking for ways to cut costs now. Mr. Lynch agreed that solutions are needed now to avoid problems on the horizon. The stabilization fund doesn't serve as a cure. A member of the Finance Committee suggested that, for example, if there is to be a ten percent decrease in state aid the departments should find ways to adjust to that. This is something that should be done now, not six months from now. Dr. Moser said that there should be a description of the make-up of the various departments. A discussion ensued over how to create an accurate picture of where the School Department and the Town spend their money and where cuts could be made. Balancing the level of services against budgetary restraints is always a challenge and will continue to be so.

School Facility Project

Selectman Dalton said that according to the architects, there seemed to be no alternative to the $103 million version. Mary Frantz, Finance Committee, pointed out that the architects were trying to get everyone to look at this realistically. To accomplish everything as specified by the Building Needs Committee, this is what the cost will be. If the Town doesn't feel it can pay for this, then the resulting project will be a different project. Judy Mallette, School Committee, emphasized the project needs to be taken to the next level, the preliminary design stage. Mr. Lynch suggested strongly that the RFP for the preliminary design be crafted very carefully to dictate the scope and parameters of the project. Dr. Moser stressed that everyone - the BOS, the Finance Committee and the School Committee - is committed to doing the right thing for the community and should allow this to go to the next necessary step.

The floor was opened to the audience for questions and comments.

Patrick Maloney, 2 Bello Lane, stated that part of the problem is the process. The cost can be modified by site selection and tailoring the design. The architect can be pinned down to the specifics.

Mary Gregoire, 4 Byam Road, stated that she has heard from many their desire to get this done. There is a plan in place and it should be taken to the next level. It would do the

community a great disservice to not move forward. No one is interested in funding something that isn't needed, but clearly this is needed.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, April 9, 2001 at 7:00 p.m. at the Town Offices. The Finance Committee, School Committee and Board of Selectmen voted by unanimous vote to adjourn the joint meeting at 11:35 p.m.

Respectfully submitted,

Donna McIntosh

**BOARD OF SELECTMEN MEETING MINUTES**
**APRIL 05, 2001**

The reorganization meeting of the Board of Selectmen was held on April 05, 2001, at the Town Offices at 7:00 p.m. Board members present were Selectmen Stuart Weisfeldt, Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager, and John Coderre, Assistant Town Manager.

**SCHEDULED BUSINESS**

Board Reorganization

Selectman Eliopoulos opened nominations for Chairman. Selectman Dalton nominated Tom Moran for Chairman. Motion seconded by Michael McCall and passed unanimously.

Selectman Moran assumed the duties of Chairman and opened nominations for Vice Chairman. Selectman Dalton nominated Michael McCall for Vice Chairman. Motion seconded by Phil Eliopoulos and passed unanimously.

Selectman Moran opened nominations for Clerk. Selectman Eliopoulos nominated Bill Dalton for Clerk. Motion seconded by Michael McCall and passed unanimously.

Following the reorganization vote, Board members took their new places.

There being no further business before the Board Selectmen McCall motioned to adjourn, seconded by Stuart Weisfeldt. The meeting adjourned at 7:15 p.m.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, April 9, 2001, at 7:00 p.m.

Respectfully submitted,

John Coderre

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## April 9, 2001

**7:00 p.m. Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

- Alison McKay, Solid Waste Coordinator
  Town Wide Clean-Up - May 5, 2001
- Arbor Day Proclamation - Chelmsford Garden Club
- Armenian Martyrs' Day - April 24, 2001

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: February 12, 2001
  February 26, 2001
- Executive Session: February 12, 2001

**Town Manager Reports**

**Town Manager Appointments**

- Animal Inspector

**Town Manager Bids/Contract Awards**

**Scheduled Business**

7:30 p.m. Public Hearing: Street Acceptances – Research Place, Hemlock Drive

7:40 p.m. Application for One-Day All Alcohol License, St. John the Evangelist Church

7:45 p.m. Application for Increase in Number of Vehicles
Winners Circle Auto Sales, 65 Tyngsboro Road

7:50 p.m. Sue Carter, Adams Farm - North Chelmsford Train Issues

8:00 p.m. Application for License for Public Entertainment on Sunday
Fiesta Shows – May 13, 2001, CHS Field

***** This meeting is televised. *****

**Unscheduled Business**

- BOS Appointment: Deputy Constable

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: May 7, 2001

**BOARD OF SELECTMEN MEETING MINUTES**
**APRIL 9, 2001**

A regular meeting of the Board of Selectmen was held on April 9, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Alison McKay - Town Wide Clean-Up - May 5, 2001

Alison McKay, Conservation Officer/Recycle Coordinator, came before the board to announce the upcoming Town Wide Clean-up to be held Saturday, May 5 from 9:00 am - noon. Following the clean up, lunch will be served at the Elks for all participants. Ms. McKay encouraged everyone to help out either by actively participating or making a donation. Those interested can contact Ms. McKay at the Town Offices.

Arbor Day Proclamation - Chelmsford Garden Club

Selectman McCall read the Arbor Day proclamation. Arbor Day will be observed Friday, April 27th, 2001. The proclamation was presented to the Chelmsford Garden Club. The chairman of the Chelmsford Club accepted the proclamation and announced that Arbor Day will be observed with a ceremony at the library at 3:45 p.m. on Friday. A Japanese Maple will be planted. She encouraged all who can to plant a tree in honor of the day.

Armenian Martyrs' Day - April 27, 2001

Selectman McCall read a proclamation announcing the observance of Armenian Martyrs' Day on April 27, 2001. The day is set aside to remember the deaths of at least 1.5 million Armenians by the Ottoman Turks.

## OPEN SESSION

Amble Road, Trotting Road, Chestnut Hill Road/Mailbox Damage

Pamela Armstrong, 15 Amble Road, spoke in regard to damage done to mailboxes and a fence along Amble, Trotting and Chestnut Hill Roads. The nineteen mailboxes and a handmade picket fence were damaged in the course of plowing the streets during the last storm. Ms. Armstrong thanked the Town for their prompt response to the problem but suggested that in the future a larger plow be used. The small plow must go very fast to plow the snow and that contributed to the damage. Mr. Lynch responded that this was a problem for not only Chelmsford but also other communities given the weight of the wet snow that fell in the last storm. He thanked Ms. Armstrong for bringing her concerns forward.

## APPROVAL OF MINUTES FROM PREVIOUS BOS MEETINGS

Regular BOS Meeting Minutes - February 12 and 26, Executive Session - February 12

Selectman McCall made a motion to approve the regular meeting minutes from February 12, 2001. Selectman Dalton seconded, motion approved with one abstention. (Bill Dalton abstained due to absence from the meeting).

Selectman McCall made a motion to approve the regular meeting minutes from February 26, 2001. Selectman Dalton seconded. Selectman Eliopoulos requested the minutes amended to

reflect that he did not support the letter to Modern Continental based on the impact on the business community if the Rte. 3 Southbound ramp were closed . Minutes approved with the previous amendment.

Selectman McCall made a motion to approve the executive session meeting minutes from February 12. Selectman Dalton seconded, minutes approved with one abstention. (Bill Dalton abstained due to absence from the meeting).

## TOWN MANAGER REPORTS

Special Town Meeting

Mr. Lynch informed the board of the need for a special town meeting to be included in the regular April Town Meeting. The special town meeting is necessary to transfer a small parcel of Town land to be used for a new housing development adjacent to Delaney Terrace. A paper street also needs to be discontinued. Selectman McCall made a motion to include a special town meeting within the April Town Meeting. Selectman Dalton seconded. Selectman Eliopoulos asked if abutters would be affected by the discontinuation of the paper street. Mr. Lynch responded that the Town has both sides. Motion approved unanimously.

Potholes and Culverts

Mr. Lynch said the DPW is currently busy repairing potholes. A culvert on Garrison Road collapsed and will take four to six weeks to be put back on line.

Town Meeting

Preparations continue for the April Town Meeting. The budget is all set. Work continues with Dr. Moser to firm up the figures for the school facilities project.

## TOWN MANAGER APPOINTMENTS

Animal Inspector

Selectman McCall made a motion to appoint Martin Gruber, D.V.M., to the position of Animal Inspector for a one-year term from April 1, 2001 to March 31, 2002. Selectman Dalton seconded, appointment approved unanimously.

Deputy Constable

Selectman McCall made a motion to appoint Donald Stout to deputy constable for a term from January 1, 2001 - December 31, 2001. Selectman Dalton seconded, appointment approved unanimously.

## SCHEDULED BUSINESS

Public Hearing: Street Acceptances - Research Place, Hemlock Drive

Jim Pearson came before the board to request the acceptance of Research Place. Research Place is off Technology Drive, limited industrial zoned, 1183.18' in length, with a 60' R.O.W.

Selectman McCall made a motion to approve the acceptance of Research Place, pending a final walk through and inspection and contingent upon the Town Meeting vote. Selectman Dalton seconded, motion approved unanimously.

Jim Pearson requested acceptance of Hemlock Drive. This portion of Hemlock Drive is an extension of an older residentially zoned road. The acceptance corrects a minor flaw to the 1958 plans and will be reflected in the deeds.

Selectman McCall made a motion to accept Hemlock Dr. as a public street contingent upon a walk through and inspection and acceptance by Town Meeting. Motion seconded and approved unanimously.

Application for One-Day All Alcohol Licenses, St. John the Evangelist Church

Pat Jamros, 19 Dunstable Road, came before the board to request a One-Day All Alcohol License for St. John the Evangelist Church 115 Middlesex St. for a Cinco de Mayo Day event to be held Saturday, May 5 from 7 pm to 12 am.

Selectman McCall made a motion to approve a One-Day All Alcohol License for St. John the Evangelist Church, 115 Middlesex St. for Saturday, May 5 for the hours of 7 pm - 12 am. Selectman Dalton seconded, motion approved unanimously.

Application for Increase in Number of Vehicles - Winners Circle Auto Sales, 65 Tyngsboro Road

John Santoro, owner of Winners Circle Auto Sales, 65 Tyngsboro Road came before the board to request an increase in the number of vehicles allowed on the lot. Mr. Santoro informed the board that he had an opportunity to take over the lease of the property next to the car lot, which could increase the number of parking spaces by 21 cars. The plan has the approval of Tony Zagzoug, the building inspector.

Selectman McCall made a motion to approve a change to the Class II Auto Sales license for Winners Circle Auto Sales, 65 Tyngsboro Road, to reflect an increase to 42 cars as specified by Tony Zazoug, building inspector and conforming to the Town by-laws. Motion seconded and approved unanimously.

Sue Carter, Adams Farm - North Chelmsford Train Issues

Sue Carter, trustee, Adams Farm Condominiums, came before the board to address a couple of issues precipitated by the recent train derailment. There has been talk that Guilford Rail has not been keeping up with the maintenance of the tracks as they should. She wanted the Town to stay on top of this and apply pressure to Guilford. She asked Mr. Lynch if the Emergency Evacuation plan for the Vinal Square area had been updated recently. Mr. Lynch said that the plan conforms to federal regulations and was updated two to three years ago. The Town is working with Guilford currently on a number of issues and will address these concerns.

Application for License for Public Entertainment on Sunday/Fiesta Shows - May 13, 2001, Chelmsford High School Field

Jack Fletcher, athletic director of CHS came before the board to request a Public Entertainment on Sunday License for Fiesta Shows for the purpose of a fair to be held on May 13, 2001 at the CHS Field.

Selectman McCall made a motion to approve a Public Entertainment on Sunday License to Fiesta Shows for Sunday, May 13th from 1 pm - 6 pm at CHS Field. Motion seconded and approved unanimously.

## UNSCHEDULED BUSINESS

School Facilities Project

Selectman Dalton encouraged the board to make a motion requesting that Mr. Lynch and Dr. Moser to set up a meeting between the building needs committee and the School Building Assistance Board (SBAB) to address the school facilities project. Specifically, he hoped the SBAB could offer an opinion on whether the proposed project would meet SBAB reimbursement status given the new regulations. There has been a great deal of community concern around the $750,000 needed to complete the preliminary project plans. He wanted it clear that he did not oppose the project however, he felt it was the responsibility of the board to see that the money be spent wisely and appropriately. To that end, it was important to have as much information as possible.

Mr. Lynch responded that the project would need to meet SBAB regulations to get approval for reimbursement. The regulations have changed and the details are unclear. It would seem some things, such as renovations, would be covered whereas in previous years they would not. He cautioned that the SBAB would not come in at this early stage in its development.

Selectman Dalton made a motion requesting the Town Manager request a meeting between the superintendent, the building needs committee and the SBAB to assess the school facilities project in light of the new regulations before the April Town Meeting. Selectman Weisfeldt seconded. Discussion continued.

Selectman McCall suggested that a meeting might be fruitful if it could provide clarification of the regulations and the process. The Town certainly doesn't want to go too far down the wrong road. In the interest of keeping the meeting agenda, Selectman Moran made a motion to table the discussion until after the scheduled business. Motion seconded and approved unanimously.

After the conclusion of the scheduled business, Selectman Weisfeldt made a motion to reopen discussion. Motion seconded, and discussion resumed.

Dr. Richard Moser took the podium to emphasize and clarify a few points. He agreed that it was imperative for the public to have good and timely information. The SBAB was sent a packet regarding the proposed school project. Dr. Moser was informed that the project was not at a stage where it would be appropriate for the SBAB to get involved. For the project to go forward, it must be taken to the preliminary plan stage. The public must be given the opportunity to assess the information and vote. He went on to say that the project is not driven by the $103 million figure. There is a process that began two years ago with the work done by the Building Needs Committee and DRA. The scope of the project has been narrowed to the renovations on the three middle schools. Whether this project costs $103 million remains to be seen. It is a priority of everyone involved to keep the cost down while meeting the needs of the community.

Members of the board thanked Dr. Moser for coming in. Selectman Dalton made a motion to arrange a meeting with the SBAB to show plans and make sure they fall in line with the new regulations before the town meeting. Motion seconded and defeated 4-1. (B.D.-Aye, P.E.-Nay, M.M.-Nay, S.W.-Nay, T.M.-Nay).

## SELECTMAN REPORTS/REFERRALS

- Due to a conflict with the joint School Committee and Finance Committee meeting Selectman Weisfeldt reported that he was unable to attend the Sewer Commission meeting.

- Selectman Weisfeldt was waiting for the rules and regulations regarding tattoo parlors from the Board of Health. He has heard from the Board of Health that they are available. He will distribute copies to the Selectmen.
- Selectman Dalton reported the 202 Project has been approved. This is a $5 million project partnering the Chelmsford Housing Authority and Elder Services of the Merrimack Valley.
- Selectman Dalton suggested a public information session be held to answer questions surrounding the school building facilities project. Mr. Lynch said there would be an opportunity for that at the Pre-Town Meeting on April 25. Judy Mallette came forward and said the public budget hearing was set for April 10 and the issue would be addressed at that meeting as well.
- Selectman McCall and Selectman Moran thanked the community for coming out to vote. Both look forward to serving on the board for another term.
- There was some flooding in West Chelmsford from a recent storm reported Selectman McCall. The Town responded very quickly to the needs of residents dealing with the aftermath. Some culverts were damaged. Since the area may be deemed a disaster area by both the state and federal government, he wondered if it was worth seeking funds. Mr. Lynch said this was something the Town kept up with.
- Selectman McCall reminded the public to contact the DPW to report pothole problems.
- Selectman Eliopoulos mentioned that construction in the form of tree removal has begun on Route 3. Up-to-date information regarding construction schedules can be found at www.route3construction.com.
- Selectman Eliopoulos reported receiving a letter from Susan Fargo requesting the Town's legislative wish list. Mr. Lynch said they were addressing this annual task.
- Selectman Eliopoulos thanked John Coderre for following up on some potholes and drainage issues with Jim Pearson.
- Selectman Eliopoulos said he had spoken to John Greeley concerning the Rte. 3 construction. There will be other road closures in the course of the construction. Riverneck Road is among them. Closures will be staggered.
- Selectman Moran recommended getting pedestal signs out on the crosswalks until road markings can be painted. Mr. Lynch said they hoped to get out a bit earlier to do the road painting this spring.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, April 23, 2001 at 7:00 p.m. There being no further business, the board voted by roll call vote to adjourn at 9 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## April 23, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Certificate of Appreciation: James M. Spinney

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Selectmen: April 5, 2001

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: Verizon New England Petition, Mill Road Place Underground Cable and Manholes

**7:35 p.m.** Public Hearing: Application for Change in Character of Premises Vincenzo's Restaurant, 170 Concord Road

**Unscheduled Business**
- Warrant Articles

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: May 7, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**APRIL 23, 2001**

A regular meeting of the Board of Selectmen was held on April 23, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Certificate of Appreciation - James Spinney

Selectman Moran presented a certificate of appreciation to James Spinney who retired after 35 years of service on the Chelmsford Fire Department.

## APPROVAL OF MINUTE FROM PREVIOUS BOS MEETINGS

Board of Selectman Meeting Minutes - April 5, 2001

Selectman McCall made a motion to approve the minutes from the April 5, 2001 meeting. Motion seconded, minutes approved unanimously.

## TOWN MANAGER REPORTS

Pre-Town Meeting

The pre-town meeting warrant article review is scheduled for Wednesday, April 25th at 7:30 at the Senior Center.

Town-wide Cleanup - May 5, 2001

Mr. Lynch reminded the public of the Town-wide Cleanup to be held Saturday, May 5th. After the cleanup, participants are invited to lunch at the Elks Lodge. Those interested can contact Alison McKay at the Recycling Office.

Center Project

The Center Project continues. The Town is working with the bank. The utilities will be suppressing wires underground. A surcharge is included on the utility bills. One benefit of financing the project in this manner is that those that use more energy will be paying more, which typically means businesses will pay most of the cost.

Police Station

Mr. Lynch was asked to comment on the progress of the new police station project. He said that the project would be done on budget. The project was approved with some flexibility as to the final plan. The main building will be reduced to one floor but with a bigger footprint than the two-story version. At present the out buildings, which consisted of a firing range and maintenance building will not be built. The bids were coming in at $800,000 for the out building. Presently, the functions served by the proposed out buildings are taken care of at other locations. Selectman Eliopoulos suggested bringing the warrant article passed the previous year to Town Meeting so the wording can be revisited.

## SCHEDULED BUSINESS

Public Hearing: Verizon New England Petition, Mill Road / Place Underground Cable and Manholes

Kathy Frazer, representing Verizon New England, came before the board to request approval for a petition to place approximately 1,164 feet of underground cable and two manholes on Mill Road. Selectman McCall made a motion to approve plan #979 to place 1,164 feet of cable in underground conduit and two manholes on Mill Road, three feet from the existing pavement. Selectman Moran seconded and approved unanimously.

Public Hearing: Application for Change in Character of Premises / Vincenzo's Restaurant, 170 Concord Road

Vincent Cicerchia came before the board to request approval for a change in the character of premises for Vincenzo's Restaurant, 170 Concord Road to reflect the addition of a sit down bar with 15 seats in the same area as the existing service bar. Mr. Cicerchia hopes this modification will better serve the needs of his patrons and increase business. Selectman Moran invited anyone present wishing to address this issue to came forward.

John Shaw, 7 Peders Place, came before the board to ask a few questions regarding the change. He inquired whether Mr. Cicerchia felt that the bar would change the environment of the restaurant. Mr. Cicerchia replied that the hours would remain the same. He hoped to promote food service at the bar for those requesting a light meal or dessert. The bar would also provide a place to sit while waiting for a table. He didn't feel that it would change the character of the restaurant at all. Mr. Shaw went on to express a concern for traffic and parking along the road. Mr. Cicerchia didn't feel that there would be an increase in parking or traffic, but if this were the case, he could certainly address the situation.

George Modica, 1 Peders Place, is also concerned about the possibility of additional traffic in the area. He stated that the restaurant has not kept the property behind the building clean. There has also been excessive noise at 5:30 a.m. because of the dumpster being emptied. John Downing, 5 Peders Place, expressed strong objection to the expansion of a bar in the restaurant. Mr. Cicerchia responded to these claims. Spring clean-up is underway to remove the buildup of winter debris in the back. There had been a problem with trash pick-up, which he thought had been taken care of. The board also pointed out that there were bylaws in Town concerning the hours of trash pickup. He went on to say that he was not trying to create a bar room environment and didn't foresee the clientele changing. Selectman Dalton asked if the net seating capacity would change. Mr. Cicerchia responded that there would actually be a loss of seating.

Selectman McCall made a motion to approve the change in character for Vincenzo's Restaurant,170 Concord Road to include a 15 seat, sit-down bar. Motion seconded. Selectman Dalton suggested that anyone with a concern should contact Mr. Cicerchia directly. If results aren't acceptable then the appropriate authorities should be contacted, such as the Board of Health, Police, etc. Selectman Moran thanked the residents for coming to the meeting and making their opinions known. Motion approved unanimously.

## WARRANT ARTICLES

Mr. Lynch went through the articles one by one starting with the Special Town meeting article and requested the board either approves them or waits for Town Meeting, April 30th.

Special Town Meeting

The Special Town Meeting article concerns a parcel of land near Delaney Terrace, which will provide for 51 units of elderly housing. Selectman McCall made a motion to recommend articles 1 and 2 for the Special Town Meeting warrant. Motion seconded, motion approved unanimously.

Warrant Articles

Selectman McCall made a motion to recommend Warrant Articles 1-12. Selectman Dalton seconded. Articles 1-12 approved unanimously.

Mr. Lynch read a draft version of Article 13, pertaining to the Preliminary Design Plan for the school improvement project. This version of the article clearly states the set aside for "up to" $750,000 for the preliminary design. The Building Needs Committee approved this version. The School Committee will vote on the article at the meeting the following day. Dr. Moser took the podium and expressed his approval for the motion as representative of a meeting between the three boards. The board agreed that this motion was a good one. Claire Jeanotte, Finance Committee Chair, took the podium to say that the Finance Committee had yet to give approval for the motion only because it was waiting for the other three boards.

Selectman McCall made a motion to recommend Article 13. Motion seconded, article 13 recommended unanimously.

Mr. Lynch stated that the Library Trustees were looking to amend Article 14, the capital planning budget. The Library Trustees prefer to see the Pink House demolished or moved rather than renovated. The $50,000 wouldn't be needed for renovation if this were the case. Selectman Moran expressed a strong preference for renovation as opposed to demolition. Selectman McCall made a motion to recommend Article 14. Motion seconded and recommended unanimously.

Selectman McCall made a motion to recommend Article 16. Motion seconded and recommended unanimously.

Selectman McCall made a motion to recommend Article 22. Motion seconded and recommended unanimously.

After consideration the Board agreed to hold on Articles 15, and 17-21.

**SELECTMAN REPORTS/REFERRALS**

- Selectman Weisfeldt said he was still waiting for the tattoo regulations from the Board of Health. Mr. Lynch said he would do what he could to expedite the process.
- Selectman Eliopoulos asked Selectman Weisfeldt if it would be possible to get information on Park Road regarding the sewer work. He was specifically looking for a time line. Selectman Weisfeldt responded that he would get a message to the Sewer Commission.
- Selectman Dalton reported on the 202 Project. The elderly housing project is set to be built behind Delaney Terrace. Parking for the Senior Center will be expanded. A grant is being filed for the expansion of Adult Day Care.
- Selectman Dalton asked for an update on the situation of a resident on Catamaran Drive. Mr. Lynch responded that he had had spoken with the resident and explained the legal status and the limits on what the Town can do.

- Selectman Moran said that he and the Town Manager were working to schedule a meeting regarding the proposed train station. He was looking for letters of support from organizations such as the Chelmsford Business Association.
- Selectman Moran suggested scheduling a goal setting session for May or early June. He was also working on the liaison appointments.
- Selectman Eliopoulos reported on a meeting attended by Carol Cleven, Mass. Highway, the water districts, the DEP and the Town Manager, among others. At the meeting information pertaining to the Route 3 project and its effect on the Town water supply was conveyed to Mass. Highway. The North Water District drafted a letter stating its concerns. Mr. Lynch said that drainage would be improved with the project. The DEP also presented a report on its findings in regard to Chelmsford's handling of various environmental issues. There were a few minor findings that will be addressed.
- The tree clearing has begun on Route 3. This work will be making its way up to the Chelmsford area in the next two to three weeks, reported Selectman Eliopoulos.
- Selectman McCall reported on the latest NMCOG meeting. Some topics addressed were Route 3 tree clearing and bridge repair.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, May 7, 2001 at 7:00 p.m. There being no further business, the board voted by roll call vote to adjourn at 9 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## April 30, 2001

***Location: Senior Center***

**6:45 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**6:45 p.m.** Public Hearing: Transfer of Package Store License, Corner Cupboard

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: May 7, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**APRIL 30, 2001**

A regular meeting of the Board of Selectmen was held on April 30, 2001 at the Senior Center beginning at 6:45 p.m. Board members present were Selectmen Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## SCHEDULED BUSINESS

Public Hearing: Transfer of All Alcohol Package Store License, Corner Cupboard, 149 Gorham Street

Greg Demakis, representing the interests of Jyotsna Patel came before the board seeking a transfer of All Alcohol Package Store license for the Corner Cupboard, 149 Gorham Street.

A motion to transfer the All Alcohol Package Store License, Corner Cupboard, 149 Gorham Street from Brian Monahan to Jyotsna V. Patel, DJVP Ram Corporation, Inc. dba The Corner Cupboard, 149 Gorham Street was made. Motion seconded, motion to transfer approved unanimously. (S.W., P.E. and T.M. present, B.D. and M.M. absent from vote.)

## TOWN MANAGER BIDS/CONTRACT AWARDS

Police Station Award

Mr. Lynch requested board approval for the award of the police station contract to Emerald Construction, Carlisle, MA for the amount of $4,959,800.

Selectman McCall made a motion to award the contract to build the new police station to Emerald Construction, Carlisle, MA in the amount of $4,959,800 subject to the approval of an acceptable construction contract. Motion seconded, bid award approved unanimously.

## UNSCHEDULED BUSINESS

Selectman Eliopoulos presented the board with a proposed letter to Modern Continental regarding the closure of Steadman Street for a period of ten months while a component of the Route 3 expansion is completed. A discussion ensued around the details. The contractor would compensate the Town with $5,000 to do with as it wishes to mitigate traffic. The board agreed that it would be worth investigating the installation of temporary lights. Traffic details will also be necessary. The board agreed to support the letter. Closing Steadman Street completely will be difficult, but is preferable to reducing traffic to only one lane for an extended period of time.

Selectman Moran made a motion to support the letter dated April 19th to Modern Continental regarding the closure of Steadman Street. Motion seconded and approved unanimously.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, May 7, 2001 at 7:00 p.m. There being no further business, the board voted by roll call vote to adjourn at 7:15 p.m.

Respectfully submitted,
Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## May 21, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Selectmen: March 19, 2001

**Town Manager Reports**

**Town Manager Appointments**

- School Building Committee

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Re-Precincting & BOS Vote: Mary St. Hilaire, Town Clerk

**7:35 p.m.** Continuation of Public Hearing: Transfer of All Alcohol Package Store License, Corner Cupboard, 149 Gorham Street

**7:40 p.m.** Application for Aboveground Storage: Fletcher Granite Company, Inc. 275 Groton Road, Chelmsford

**7:45 p.m.** Public Hearing: Application for Auto Dealers License & Underground Storage R&P Automotive, 117 Princeton Street

**8:00 p.m.** Outdoor Lighting Backgrounder: Kelly Beatty

**Unscheduled Business**

- Land Off Proctor Road – Lots 1, 2, 3, 4 & 5, and Buttercup Lane

***** This meeting is televised. *****

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: June 4, 2001

**BOARD OF SELECTMEN MEETING MINUTES**
**MAY 21, 2001**

A regular meeting of the Board of Selectmen was held on May 21, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## OPEN SESSION

Elaine McBride, President of Local 1703, came before the board to state that the Clerical Union continues to work without a contract.

Use of Town Offices Property

Keven Ross, 71 Billerica Road, came forward to request that the Town Manager and board address a situation he brought before them five years ago. Mr. Ross feels the property behind the Town Offices is being used improperly for sand storage, snow removal and as a transfer station for waste, including hazardous materials. Mr. Ross went on to say that he and his neighbors have been awakened by front-end loaders and other trucks in the middle of the night. He strongly urged the board and Town Manager to take action on their behalf.

Mr. Lynch responded that until such time as an alternate location is found, the centrally-located lot behind Town Offices will continue to be used by the Town as a place to temporarily store sand during street cleaning and plowed snow during the winter. Mr. Ross stated that recycling drop-offs are held twice yearly at this location, and that materials left by residents are kept there for long periods of time. Mr. Lynch responded that such materials are disposed of within a few days after the drop-offs, adding that this time it took a little longer due to the large number of items that had been dropped off. He said that such uses of Town property are appropriate and needed because there are no other centrally-located parcels of land available.

The board concurred with Mr. Lynch. Mr. Ross remained dissatisfied with this explanation and indicated that he would take his complaints to the next level and to court if necessary.

Eagle Scout Project - Benches at Robert's Field

Johnathan Broe, Lowell came before the board to request support for an Eagle Scout project to build and install four benches around the pond at Robert's Field. Mr. Lynch supported the project and suggested Mr. Broe work with Andy Sheehan to fine-tune the layout of the benches.

Selectman McCall made a motion to endorse the project put forward by Johnathan Broe to build and install four benches at Robert's Field as part of an Eagle Scout service project. Motion seconded and supported unanimously.

## APPROVAL OF MINUTES FROM PREVIOUS BOS MEETINGS

Board of Selectman Meeting Minutes - March 19, 2001

Selectman McCall made a motion to approve the minutes from the March 19, 2001 meeting. Motion seconded, minutes approved unanimously.

## TOWN MANAGER APPOINTMENTS

School Building Committee

Town Meeting approved the $750,000 expenditure for the preliminary design phase of the school improvement project. Mr. Lynch said that in accordance with the Town Charter he was appointing nine people to the Schools Building Committee. Thirty applications were received from very well qualified candidates. Also included on the committee was a representative from the School Committee, Finance Committee and the Board of Selectman. Mr. Lynch said he chose six outstanding individuals based on the needs of the committee and the range of expertise the individuals would bring to the project. The individuals selected are:

Biagio DiTullio - Beacon-Scanson Construction, Director of Construction at Tufts

David McLachlan – Finance Officer, Genzyme Corporation

Dean Carmeris - Town Meeting member, semi-retired from FTP Software

Patrick Maloney - Project Manager, Architectural Environments

Charlie Buuck - Vice-president, Turner Construction

Grace Wissman - Principal, Elementary School in Westford, background in electrical engineering

Other members on the committee include Bill Dalton, Board of Selectman; Bill Curry, Finance Committee; Cheryl Perkins, School Committee. Karen Mazza, Asst. Superintendent of Schools, and John Coderre, Assistant Town Manager, will serve as non-voting resource members. Mr. Lynch said this group represents various segments of the community and provides diversity of expertise. Dean Carmeris will serve as temporary chair at the first meeting scheduled for Thursday.

Selectman McCall made a motion to accept the Town Manager's appointments to the School Building Committee. Motion seconded, appointments approved unanimously.

## SCHEDULED BUSINESS

Re-Precincting & BOS Vote: Mary St. Hilaire, Town Clerk

Mary St. Hilaire, Town Clerk, presented the board with the new precinct lines as drawn by the state in accordance with the new census figures for the Town. Eight small areas have been affected. The Town Clerk went over the areas and then took questions from the board. Selectman McCall asked how residents would be notified of the changes. Ms. St. Hillaire responded that the information would be supplied in the Town census questionnaires.

Selectman McCall made a motion to recommend approval of the 2001 redistricting of the precincts as presented by the Town Clerk. Motion seconded, motion approved unanimously.

Continuation of Public Hearing: Transfer of All Alcohol Package Store License, Corner Cupboard, 149 Gorham Street

Mr. Lynch said the transfer of an All-Alcohol Package Store License for the Corner Cupboard; 149 Gorham St. was continued from the April 28th meeting. All background checks were in order and the new owners are scheduled for TAM certification as required by Town Liquor Regulations. John Harrington took the podium and stated that package stores are now required to be BAT (Beverage Alcohol Training) certified as opposed to TAM certified. This change reflects an update of the material used in the training. Selectman Eliopoulos said the liquor regulations would be amended to reflect the change in name of the training program.

Selectman McCall made a motion to approve a transfer of All-Alcohol Package Store License for the Corner Cupboard, 149 Gorham Street retaining the existing hours of operation and pending the completion of BAT certification. Motion seconded and approved unanimously.

Application for Aboveground Storage: Fletcher Granite Company, Inc. 275 Groton Road, Chelmsford

John Greeley of Modern Continental came before the board seeking approval for an above ground storage license for diesel fuel. The fuel would be used to supply the equipment involved in the Route 3 expansion project. Selectman Dalton commented that the Fire Chief had approved the license and would like the motion to reflect this approval.

Selectman McCall made a motion to approve the Application for Aboveground Storage for Fletcher Granite Company, Inc., 275 Groton Road, Chelmsford subject to the Fire Chief's approval. Motion seconded and approved unanimously.

Public Hearing: Application for Auto Dealers License & Underground Storage R&P Automotive, 117 Princeton Street

Ron Emond, 117 Princeton St. came before the board seeking approval for an Auto Dealers License and an Underground Storage License for R&P Automotive. Mr. Emond stated he had taken over the business in January and was cleaning up and improving the lot. In conjunction with the sales license he was looking to sell gas on the premises and would therefore need an underground storage license.

Selectman Moran called for comments from the public. Dominic Sementelli, 128 Princeton St. came forward and stated that as he lived directly across the street, he did not support the sale of gasoline at this location. He did, however, praise the work done to improve the appearance of the car lot.

Pam Armstrong, Planning Board member, stated that Mr. Emond had been before the Planning Board in regards to another matter and hadn't mentioned the installation of gas pumps in the original proposal. She was concerned over the limited amount of parking available at the site. The site also abuts a flood plain, which impacts the way a parking lot could be built. Mr. Emond responded that he is interested in moving the tanks from his Lowell facility to the Chelmsford site. He was commissioning the Kaminsky engineering firm to draw up plans and do drainage calculations for the hot top area. Selectman Dalton asked about Mr. Emond's professional experience. He stated that he had been involved in car sales and currently owns a gas and service station. He went on to say that he was unsure of the procedure involved and didn't want to pursue the matter with the Planning Board for the gas station until he had a storage license. Selectman Moran stated that he was inclined to table the storage license and handle the matter of the sales license. They moved on to take up the matter of the number of parking spaces.

The building inspector's report found there was room for nineteen spaces, inclusive of the gravel area in the rear. The Planning Board is comfortable with approximately 13 spaces. Discussion continued with Selectman Dalton recommending that the board go with the building inspector's finding of 19 spaces. Selectman McCall made a motion to approve the auto dealer's license for R&P Automotive, 117 Princeton St. with approval for 12 parking spaces. Motion seconded. License approved 4-1 with Selectman Dalton dissenting.

Selectman McCall made a motion to continue the approval for a gas storage license to the June 4th meeting. Motion to continue seconded and approved unanimously.

Outdoor Lighting Backgrounder: Kelly Beatty

Kelly Beatty came before the board to discuss outdoor lighting in light of a new town bylaw that controls the placement of new fixtures. He showed a picture of the United States as seen from outer space at night. Lights can clearly be seen from above. Outdoor lighting is necessary for security and safety but at the same time we don't want to waste power. Lighting technology has improved greatly in the last few years. Mr. Beatty highlighted some of the good uses and bad uses of lighting in the area and encouraged residents and business people to be cognizant of their use of lighting and to take advantage of the economical technology available.

## UNSCHEDULED BUSINESS

Land Off Proctor Road - Lots 1, 2, 3, 4 & 5, and Buttercup Lane

Chapter 61 currently protects this 17-acre parcel of land off Proctor Road. If the land is converted or sold, the Town has the right of first refusal. The cost of the parcel is $650,000. The Town is looking at ways to finance the purchase. It is up to the board to decide whether they want to proceed. If they wish to purchase the land, it will be necessary to call a Special Town Meeting. Selectman McCall asked if a purchase would involve all 17 acres. Mr. Lynch said it would. Selectman Moran suggested taking a tour of the site. Joanne Chaulk, Linden St. came forward and strongly suggested the Town consider the purchase of the land as it was a sensitive site. Mr. Lynch said the matter would be given due consideration.

Route 3 Expansion Update

Following the business regarding an Application for Aboveground Storage, Selectman Eliopoulos invited John Greeley of Modern Continental to give a brief update on the progress of the Route 3 expansion project. Mr. Greeley said the tree clearing along the median continues and should be reaching the New Hampshire border within the next few weeks. Mass Highway is starting night work to do routine maintenance of the bridges along the corridor. Technically this is work apart from the expansion project. There are plans to adjust the work schedule for holiday weekends to accommodate the increase in traffic at those times.

Water District Report - John Harrington

John Harrington, water commissioner for the Center District, updated the public on the need for level one water restrictions. The restrictions are posted and updated on the water district's website as well as on signboards throughout the town. Information has been in *The Sun* and *The Independent*. If residents have questions concerning what district they are in, they may call the Center district office for further information. He thanked the residents for their cooperation.

## SELECTMEN REPORTS/REFERRALS

- Selectman Eliopoulos is working with the Town Manager to develop a tree policy to address the loss of trees. A policy would be presented to the board implementing the replacement of trees on a one-to-one basis in town where appropriate.
- Selectman Eliopoulos relayed the concerns of Smith St. residents over the closure of Steadman St. There are concerns that Smith could become the detour route. He went on to say that Smith St. would not be the detour route and would be closed to commercial traffic. Selectman Dalton inquired about testing for noise levels along Route 3 now that the trees are coming down. Selectman Eliopoulos asked the residents to wait until all the trees are down so that levels can be accurate.

- Selectman McCall said there was a good turnout for Student Government Day.
- Selectman McCall inquired who was responsible for taking care of tree cutting around power lines. Mr. Lynch responded that this was up to the power companies.
- Selectman McCall reported receiving criticism about the proposed fees for skateboard park users. Mr. Lynch agreed that he had received some complaints, but he also had support from parents once they understood the reasoning behind the fee. In other communities some charge and some don't. The Town is still looking into it. There will be no fee charged until July.
- Selectman McCall and Selectman Weisfeldt thanked Mr. Beatty for coming in. Energy conservation is important for everyone.
- Selectman Weisfeldt reported that the Chelmsford Committee on Disabilities has awarded a scholarship to Robert Morrow.
- Selectman Weisfeldt has the tattoo regulations and will distribute them to the board.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, June 4, 2001 at 7:00 p.m. The board voted by roll to go into executive session for the purposes of discussing collective bargaining, and real property. There being no further business, the board voted by roll call vote to adjourn at 9:35 p.m. (Dalton-Aye, Eliopoulos-Aye, McCall-Aye, Moran-Aye, Weisfeldt-Aye).

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**June 4, 2001**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

- ATEF Grant Recipients

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: Application for Change in Described Premises
Dutch Uncles, 5 Courthouse Lane

**7:45 p.m.** Public Hearing: Transfer of All Alcohol License, Velocity Lounge

**8:05 p.m.** Continuation of Public Hearing: Application for Underground Storage
R&P Automotive, 117 Princeton Street

**8:15 p.m.** Application for 6 (Six) One-Day Alcohol Licenses: St.Vartanantz Church

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: June 18, 2001 (Goal Setting – Chelmsford Country Club)

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**JUNE 4, 2001**

A regular meeting of the Board of Selectmen was held on June 4, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

**OPEN SESSION**

Frank Goode - Arbitration

The board and Town Manager gave police officer Frank Goode the opportunity to summarize his claim on wages and overtime due him following a suspension. Mr. Goode was suspended for five days in October of 1998. He was subsequently held to one day of suspension and ordered to attend an anger management class. The arbiter found that he should be "made whole" for the four days in terms of lost wages, benefits, overtime and details. Mr. Goode stated that the Town has yet to uphold the findings of the arbiter in terms of the overtime and details for the amount of $615.50. Mr. Good feels that as this is binding arbitration the Town has an obligation to honor the terms of the arbiter's findings. Mr. Lynch responded that he was unfamiliar with the current status of the matter and would provide the board and Mr. Goode with a report.

ATEF Grant Recipients

Evelyn Thoren, Arts and Technology Education Fund Committee thanked the board, the Town Manager and the treasurer for their support of the fund since its inception in 1996. The grant program is funded with the generous donations of both citizens and businesses. Information sheets are available in the Town Clerks office. Ms. Thoren introduced the chairman of the ATEF, Edward Morassi.

Mr. Morassi thanked his fellow committee members for all their hard work. Currently the fund totals $40,555. So far the program has awarded approximately $19,282 in grants since 1996. This year nine proposals will be funded. The grant awards are as follows:

| | | | |
|---|---|---|---|
| $700 | Enhancing Education with Digital/Video Photography | Marie Gleason-Tada | Parker School |
| $650 | Keyboards for General Music Class | Chris Morassi | Center School |
| $750 | The Face of McCarthy | Heidi Ware | McCarthy |
| $400 | Book Making | Michelle Amundson | McCarthy |
| $700 | Listening Center | Pam McKeown | McCarthy |
| $700 | Just Right Books | Jane Gilmore | Byam |
| $750 | 200th Anniversary of South Row School | Irene Hannigan | South Row |
| $722 | Literature Circle Supplies | Joshua Blagg | McCarthy |
| $500 | Legos Learning and Technology | Sue Jamback | Murdoch Middle |

Marie Gleason-Tada, Chris Morassi, Heidi Ware, Michelle Amundson, Pam McKeown, Jane Gilmore and Irene Hannigan were present to accept their awards and briefly comment on their respective projects.

Celebration Committee - Temporary Vendor's License

Jeffrey Stallard, Town Celebration Committee came before the board to seek a temporary vendor's license for the Town Center area for the Fourth of July celebration beginning July 3rd. through July 4th. The restriction places a box around the celebration area where only non-profit organizations are allowed to have a booth.

Selectman McCall made a motion to approve the temporary vendor's license to the Town Center area for July 3rd through July 4th. Selectman Dalton seconded, license approved unanimously.

Mr. Stallard took the opportunity to ask the board whether air conditioning had been installed on the upper floors of the Old Town Hall. Mr. Lynch said that it hadn't at this point, they were still looking for a contractor that would take on the job of planning the project. As a stopgap measure, Mr. Stallard suggested renting a system for the 4th of July festivities. Mr. Lynch said he would look into it.

Armed Services Day

Sam Poulten, co-chair of Chelmsford Veteran's Park Committee, thanked the board and Mr. Lynch for supporting the observance of Armed Services Day and for all their support of veterans issues.

**TOWN MANAGER REPORTS**

Community Preservation Act

The Community Preservation Act was approved at Town Meeting. A committee is being formed and two residents are sought to serve on it. Those interested can get an application from the Town Clerks office. Mr. Lynch also requested that the BOS chairman handle the appointment of one member of the board to serve on the committee.

In a related matter, the State House is hearing testimony on the Open Space Fund on June 6. All indications are that it will move forward.

School Building Committee

The newly formed School Building Committee has met a couple of times. The RFP should be issued this week.

Skateboard Park

Funds have been reallocated to staff the Skateboard Park for the summer without the need for a fee. It is currently open on weekends. Once school has ended for the year, the park will be open at regularly scheduled hours.

Town Offices Back Lot

The back lot looked great reported Selectman Moran. Everything left during the Recycling Drive had been removed. It was also clearly marked and posted that dumping of anything was prohibited. Mr. Lynch remarked that the Town was still seeking an alternative to the location. Until such a time as one is identified the centrally located site will be used for sand and snow and the twice yearly recycling drive. Selectman McCall remarked that random dumping is a problem throughout the Town.

Pink House

The bid proposal for the Pink House is being put together. The appropriation for the work is not officially online until fiscal year 2002.

**SCHEDULED BUSINESS**

Public Hearing: Application for Change in Described Premises - Dutch Uncles, 5 Courthouse Lane

Paul Bouchard, Dutch Uncles, Inc., 5 Courthouse Lane came before the board seeking a change in described premises for Dutch Uncles, 5 Courthouse Lane. Mr. Lynch stated this application was originally filed approximately a year ago and approved by the board but had been kicked back from the ABBC for a technicality. Mr. Bouchard said he was seeking approval for the pool area and courtyard be added to the description on the license to serve alcoholic beverages.

As this was a public hearing, Selectman Moran invited those interested to come forward and speak to the matter. Jay Steinmetz, 4 Sweeney Court, Andover came forward and stated that he was buying the property with the intention of converting the health club over to a Gold's Gym. Mr. Bouchard's lease would be honored but the purchaser was concerned about alcohol in and around the pool area. Selectman Eliopoulos recommended the application be continued until after the closing. At that point the owner and lessee could work out the terms of the lease and come back.

Mr. Bouchard concluded by saying that the pool area was used in conjunction with the entertainment area primarily on the weekends after the health club closed for public and private parties. He also wanted it known that the lease encompassed the whole club.

Mr. Lynch said the crux of the issue lies in the transfer of property. The property owner generally signs off on the license giving consent. Selectman McCall made a motion to continue the public hearing to the next scheduled meeting. Motion seconded, motion to continue approved unanimously.

Public Hearing: Transfer of All Alcohol License, Velocity Lounge

Mr. Lynch reported the receipt of a letter from the principals requesting the matter of a transfer of All Alcohol License for Velocity Lounge be continued to the next scheduled meeting.

Selectman McCall made a motion to continue the public hearing for a transfer of All Alcohol License, for Velocity Lounge, 100 Tyngsboro Road. Selectman Dalton seconded, motion to continue supported unanimously.

Continuation of Public Hearing: Application for Underground Storage, R&P Automotive, 117 Princeton Street

Mr. Lynch requested that the public hearing for an application for underground storage for R&P Automotive, 117 Princeton Street be continued to the following meeting per the request of the petitioner and the Planning Board. Mr. Lynch then read into record a letter from the Planning Board requesting that the matter be continued as a new site plan needs to be filed that includes plans for gasoline bays. As this was a public hearing, Selectman Moran invited any interested member of the public to come forward and speak to the matter. Dominic Sementelli, 128 Princeton Street, came forward to oppose the installation of gas bays at the site. He read a letter opposing the sale of gas on the premises for reasons of safety, traffic complications, environmental impact and the potential for a decrease in property values for the area. The letter was signed by a number of abutters. Samuel Panzerri, 118 Princeton St. also opposed the

installation of gas tanks for reasons of traffic, decrease in property values and redundancy, as there are two existing gas stations within a mile of the premises.

Selectman McCall made a motion to continue the public hearing for underground storage for R&P Automotive, 117 Princeton Street. Motion seconded and approved unanimously.

Application for 6 (Six) One-Day Alcohol Licenses: St. Vartanantz Church

Nona Juknavorian, corresponding secretary for the St. Vartanantz Church came before the board seeking approval for 6 (six) One-Day Alcohol Licenses of St. Vartanantz Church, 180 Old Westford Road.

Selectman McCall made a motion to approve 4 (four) One-Day All Alcohol Licenses for St. Vartanantz Church, 180 Old Westford Road for the following dates and times:

| | |
|---|---|
| June 23 | 5 pm-11 pm |
| July 7 | 4 pm-11 pm |
| August 4 | 5 pm-11 pm |
| August 5 | 12 pm-6 pm |

Motion seconded and licenses approved unanimously.

Selectman McCall made a motion to approve 2 (two) One-Day Beer and Wine Licenses for the St. Vartanantz Church, 180 Old Westford Road for the following dates and times:

| | |
|---|---|
| August 12 | 12 pm-6 pm |
| August 19 | 12 pm-6 pm |

Motion seconded and licenses approved unanimously.

**UNSCHEDULED BUSINESS**

Tree Policy

A tree policy has been developed that is in line with the Town philosophy of recognizing the importance of trees and replacing them where appropriate. A grant, along with a budgetary item is in place to fund the replacement of trees. Selectman McCall made a motion to support the tree policy. Motion seconded, policy approved unanimously.

**SELECTMAN REPORTS/REFERRAL**

- The tattoo regulations from the Board of Health have been passed along to the board reported Mr. Lynch.
- Selectman Weisfeldt asked for an update on the status of the Mass Gravel site. Mr. Lynch said that the capping project was nearing completion and $750,000 had been paid so far.
- Selectman Weisfeldt noted that the Chelmsford High School softball team won and will move on to the semi-
- Selectman Weisfeldt congratulated the CHS graduates and cautioned them to enjoy a safe Senior Week.
- Selectman Dalton requested an update on the Glenview site, specifically concerning what was being dumped in the site. Mr. Lynch responded that Weston and Sampson continues to test the site.
- Selectman Dalton mentioned that the Secondary School Building Committee has met and he feels that the group will be productive.

- Selectman Dalton said he continued to field questions regarding Center and Golden Cove Rd. Mr. Lynch responded that the Golden Cove project should be complete by the end of the summer with it going to bid by the end of the month. The Center project is going through the final review.
- Selectman McCall received call regarding the paving in the Willis Drive area. Mr. Lynch responded that the survey work is complete.
- Selectman McCall wanted clarification concerning road closings for sewer work and whether the public safety departments are notified. Mr. Lynch stated that the contractor must provide the public safety departments with notifications of street closings.
- Selectman McCall asked what route would be available to Class II vehicle drivers if Steadman Street is closed. Selectman Eliopoulos recommended that drivers take the highway to Drum Hill. Selectman Dalton said the traffic situation was going to get worse for everyone before it gets better. Selectman Eliopoulos went on to say Steadman Street was on the agenda for the next PAC meeting at the Tsongas Center. Approval is still being sought from Lowell for the closure of Steadman Street. Smith Street will not serve as the detour route during the street closure.
- Selectman Eliopoulos suggested the speed board be put up in the Smith Street area. Mr. Lynch said the Town owned two boards now.
- Selectman Eliopoulos would update the board following the next meeting. The state has been pushing Modern Continental to create "clear" spaces adjacent to the breakdown lane. This is done by removing trees so that traffic using the breakdown has somewhere to go in the event of an emergency. A better alternative would be to have guardrails particularly in residential neighborhoods. Selectman McCall made a motion to have the board and Town Manager support a proposal to install guardrails and soundbarriers installed as opposed to clear cutting. Motion seconded and approved unanimously.
- Selectman Moran suggested the employees retiring from the School Department be honored with a public acknowledgement at the next meeting.
- Selectman Moran said the Westford Board of Selectman has unanimously agreed to support the request for a train station. The next meeting is on the 15th of June with John Cox of Lowell and others. Support for the project continues to build.
- Selectman Moran said he was working with the School Committee to pull together a joint meeting with them. Selectman Eliopoulos suggested he have the Finance Committee there as well.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, June 17, 2001 at 7:00 p.m. The board voted by roll to go into executive session for the purposes of discussing collective bargaining, litigation and real property. There being no further business, the board voted by roll call vote to adjourn at 9 p.m.

Respectfully submitted,

Donna McIntosh

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**June 18, 2001**

***Location of Meeting: Chelmsford Country Club***

| | |
|---|---|
| **7:00 p.m.** | **Call Meeting to Order** |
| | **Bond Vote** |
| **7:05 p.m.** | **Town Manager Presentation of Projects and Initiatives** |
| | **Scheduled Business** |
| **7:30 p.m.** | Continuation of Public Hearing/Status Report:<br>Application for Underground Storage<br>R&P Automotive, 117 Princeton Street |
| **7:40 p.m.** | Public Hearing: Application for Change in Described Premises<br>Bainbridge's Restaurant, 73 Princeton Street |
| **7:50 p.m.** | Public Hearing: Application for Aboveground Storage<br>Brooks Automation, 15 Elizabeth Drive |
| **8:00 p.m.** | Continuation of Public Hearing: Application for Change in Described Premises<br>Dutch Uncles d/b/a Crunches<br>5 Courthouse Lane |
| **8:10 p.m.** | Continuation of Public Hearing: Transfer of All Alcohol License<br>Boulevard Lounge d/b/a/ Velocity<br>100 Tyngsboro Road |
| **8:20 p.m.** | Public Hearing: Application for Common Victualer License<br>Belair Café, 61 Central Square |
| **8:30 p.m.** | **Other Business** |
| **9:00 p.m.** | **Adjournment** |

**Next Regular Meeting**: July 16, 2001

# BOARD OF SELECTMEN MEETING MINUTES

## JUNE 18, 2001

A regular meeting of the Board of Selectmen was held at Chelmsford Country Club on June 18, 2001 beginning at 7:00 p.m. Board member present were: Thomas Moran, Michael McCall, William Dalton, Stuart Weisfeldt, Philip Eliopoulos, John Coderre, Asst. Town Manager and Town Manager Bernard Lynch.

### BOND SALE

Fred Mansfield, Finance Director, was present to request approval of a bond sale. The Town Manager explained that the money was to fund the next phase of the sewer project and that the rates were extremely good. Selectman McCall moved that the Board approve the sale of $8,000,000. Bond Anticipated Notes of the Town of Chelmsford dated June 27, 2001, payable June 27, 2002 to Fleet National Bank for $4,000,000. and CIBC World Markets for $4,000,000. at the price of par and accrued interest plus the premium of $22,225. The motion was seconded by Selectmen Dalton, passed unanimously.

### OPEN SESSION

Chairman Moran asked if anyone would like to speak in open session. No one spoke in open session.

### R & P AUTOMOTIVE

Mr. Lynch explained to the Board that R & P Automotive had not filed their site plan with the Planning Board therefore they would not be at tonight's meeting. Selectmen McCall made a motion to continue the public hearing for R&P Automotive Underground Storage license until July 16th, seconded by Sel. Dalton, unanimous.

### TOWN MANAGER PROJECT STATUS REPORT

Town Manager Bernard Lynch gave a summary of current, ongoing and completed projects within the Town. As part of the ongoing projects the Town Manager noted budget concerns in the future due to decline in state aid and increase in health insurance costs. Phil Eliopoulos asked Mr. Lynch the status of a joint meeting with the School Committee and Finance Committee to discuss the upcoming budget and long term planning. Mr. Lynch said he was scheduling the meeting for late summer.

Selectman Moran asked when the construction work for the Pink House was going out to bid. Mr. Lynch reported that the bid specifications for the roof should be ready the first week of July.

Mr. Lynch reported on labor negotiations, the work on the fee study, and the East School field improvements. See attached listing of Mr. Lynch's report.

Mr. Lynch stated that he would need a meeting with the Board the next week or two for the annual appointments. It was decided that July 3rd at noon would be a good date for the meeting.

**7: 40 p.m. - BAINBRIDGES– CHANGE IN DESCRIBED PREMISES**

A Public Hearing was held at 7:40 p.m. for a change in described premises for Bainbridges Restaurant d/b/a Team Management. Atty. Jeff Brown and Peter DeCastro, Manager of Bainbridges, were present to represent Bainbridges. Atty. Brown explained that there were minor changes made to the upstairs lounge/dining room and that they were now serving Italian food. Atty. Brown showed the Board the floor plan explaining that the bar had been moved and that a half wall was installed. The renovations did not increase the seating. Selectmen Moran opened the public hearing and asked if anyone was present to speak for or against the change. No one was present to speak for or against the application. Selectmen Moran closed the public hearing. Selectmen McCall made a motion to approve the change in described premises, seconded by Sel. Dalton, unanimous.

**7:50 p.m. BROOKS AUTOMATION – ABOVEGROUND STORAGE**

A Public Hearing was held at 7:50 p.m. on the applications of Brooks Automation for aboveground storage. Russell Colburn of Brooks Automation asked the Boards approval for 1400 gallons of aboveground storage of diesel fuel at 15 Elizabeth Drive. Chairman Moran asked if anyone was present to speak for or against the application. No one spoke in favor or against the application. Selectmen Moran closed the public hearing. Selectman McCall made a motion to approve the license seconded by Selectman Eliopoulos, unanimous.

**8:00 p.m. CONTINUATION OF PUBLIC HEARING - CHANGES IN DESCRIBED PREMISES OF DUTCH UNCLES**

Paul Bouchard and Atty. Daniel Wilkins were present for the continuation of the Public Hearing for Dutch Uncles change of described premises. Paul Bouchard, manager of the restaurant, stated that he was asking for the alteration of his license to serve alcohol in the pool area due to the fact that alcohol had been served in that area since the Courthouse first received an alcohol

license 20 years ago. He said that he has booked many parties and functions in the pool area and that is part of his livelihood. Sel. Moran asked if anyone wanted to speak for or against the change of described premises for Dutch Uncles. The following people spoke:

Bill Riley, Crabapple Lane, said that he had been using Dutch Uncles for family functions for many years and if Mr. Bouchard was not allowed the use of the pool area he would be very disappointed.

Frank Zabbo, Tyngsboro, said that it would be wrong for the Board to turn down the change in the license because it is a family oriented place that has an older crowd and it is a safe place to go.

Rick Donovan, Middlesex Street, said he has run many functions at Dutch Uncles and that Paul does a great job. Mr. Donovan said he has an activity scheduled for August and it would be a hardship if the change were not granted.

Jerry O'Connor, Methuen, said he enjoyed many events at the Courthouse over the years and hoped that everything would continue as it had in the past.

Frank Sexton from Westford said that alcohol has always been served at the pool for as long as he could remember.

Theresa Conrad, 5 Nadine Road, said that she was impressed with Gold's Gym and that Mr. Bouchard does a great job and she was there to support him.

Sel. Moran closed the public hearing. Sel. Dalton said that he did not think that the Board should get involved with the dispute between the new owner, Gold's Gym, and the tenant. Sel. McCall said that on the described premises on the license the pool area is not listed. Jay Steinmetz, owner of Gold's Gym said that he appreciated all the members coming here tonight but he is not going to allow alcohol in the pool area. He said he does not want the liability for the liquor but he will honor the terms of the lease with Mr. Bouchard. Mr. Steinmetz said that he wanted to make it perfectly clear that no alcohol will be served in the pool area. Town Manager Lynch said that it is the opinion of Town Counsel that the Board cannot grant the change due to the fact that Mr. Bouchard does not have a legal right to the pool area. Sel. Moran said that the Town did not have an option regarding this change. Atty. Wilkins asked if the Public Hearing could be continued until the next Selectmen's meeting to give him time to talk to Gold's Gym Attorney. Sel. McCall made a motion to deny the change in described premises to Dutch Uncles, d/b/a Crunches, seconded by Sel. Dalton, passed unanimously.

**8:10 p.m. CONTINUATION OF PUBLIC HEARING - TRANSFER OF ALL ALCOHOL LICENSE FOR BOULEVARD LOUNGE**

Town Manager Lynch explained to the Board that the documents for the transfer were just received this evening and recommended that the Board hold over the hearing until the next meeting.

Sel. Moran asked to hear from the Attorney representing the new owner because he was present at the meeting. Atty. Wilkins said that they had just finalized the lease today and that he would be at the next meeting to ask the Board for the transfer. Sel. Moran asked if anyone was present to speak for or against the transfer of the license. No one spoke in favor or against the transfer. Sel. McCall made a motion to continue the Public Hearing until July 16, 2001. The motion passed unanimously.

**8:20 p.m. COMMON VICTUALER LICENSE – BELAIR CAFÉ**

Jason Belair reported to the Board that he was requesting a Common Victualer License for 61 Central Square and that he hoped to open by the 4th of July. Sel. Moran opened the Public Hearing. No one was present to speak for or against the license. Sel. McCall made a motion to close the public hearing, passed unanimously. Mr. Lynch asked Mr. Belair about the parking for the restaurant. Mr. Belair said that he was approved for 4 spaces. Sel. McCall made a motion to approve the license to Belair Café for 7 days a week from 6:30 a.m. – 2:00 p.m. The motion passed unanimously.

**OTHER BUSINESS**

Sel. McCall made a motion that the Board write a letter to the appropriate members of the redistricting committee from the state to keep the 5th Middlesex District intact. The motion passed unanimously. It was agreed that Sel. McCall would serve as liaison on this issue.

Sel. Moran said that he would like to invite all the retiring teachers to the next BOS meeting and provide them with certificates of appreciation. The Board agreed that this would be good idea and that it should continue every year.

Town Manager Lynch continued with his reports on Projects and Initiatives, including road improvements, Route 3, Varney Playground, Conservation Guide, school facilities, sidewalks, 350th anniversary celebration, GASB-34, etc. (See complete report attached to minutes).

Sel. Eliopoulos commented that the Town may need to tap into the Merrimack River for future water needs. Mr. Lynch stated that this was a recommendation from a water service study done by SEA Consultants two years ago, that it could take five – ten years to work out the permitting process and establish a pumping and filtration station. The Selectmen gave the Town Manager the go ahead to compile information, do some initial ground work with the State, and work with the Water Districts regarding this matter.

Respectfully submitted,

Marian D. Currier

**CHELMSFORD BOARD OF SELECTMEN**
**MEETING AGENDA**

**July 3, 2001**

**12:00 Noon** **Call Meeting to Order**

**Town Manager Appointments**

Annual Committee Appointments

**Board of Selectmen Appointments**

Town Counsel – Kopelman & Paige
Capital Planning Committee – Dennis Bak
LRTA – James Good

**Town Manager Bids/Contract Awards**

D.P.W. Materials/Services Bid
Stop Loss Insurance
Property & Casualty Insurance
GIS Contract Bid

**Regular Business**

Central Square Easements

**Executive Session**

Legal Update

**Press Questions**

**Next Regular Meeting: July 16, 2001**

**BOARD OF SELECTMEN**
**MEETING MINUTES**

**July 3, 2001**

A regular meeting of the Board of Selectmen was held on July 3, 2001 at the Town Offices beginning at 12 Noon. Board members present were William Dalton, Stuart Weisfeldt, Michael McCall, Thomas Moran and Philip Eliopoulos. Also present were Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager; James Pearson, Town Engineer; and John Giorgio – Kopelman & Paige, Town Counsel.

TOWN MANAGER APPOINTMENTS

Mr. Lynch stated that a previously appointed member of the School Building Committee, Mr. Biagio DiTullio, had resigned. Another qualified candidate, Mr. Mark Luchini of 6 Lafayette Place, had been interviewed for the opening and accepted. Selectman McCall made a motion to approve the appointment of Mark Luchini to the School Building Committee. Motion passed unanimously.

Mr. Lynch stated that, per a vote at Town Meeting, a member of the Board of Selectmen would serve on the Community Preservation Committee. The Board stated their desire to have Selectman McCall serve on the CPA.

Mr. Lynch distributed a list of proposed appointees to a variety of committees. Selectman Weisfeldt made a motion to approve the appointments as listed. Selectman Moran seconded, motion approved unanimously.

BOARD OF SELECTMEN APPOINTMENTS

Selectman Dalton made a motion to approve the following Selectmen appointments:

| | |
|---|---|
| Town Counsel | Kopelman & Paige |
| Capital Planning Committee | Dennis Bak, John Morrison |
| Lowell Regional Transit Authority | James Good |

Selectman Eliopoulos seconded, motion passed unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

DPW Materials/Services

Mr. Lynch read the DPW bid awards as submitted by Jim Pearson, D.P.W. Director. Selectman McCall made a motion to approve the bid awards listed below. Selectman Dalton seconded, motion passed unanimously.

| Bid Item # | Name | Low Bidder |
|---|---|---|
| 2 | Rental of Gradall | Don Gillette |
| 3 | Bit. Conc./Adj. Castings | Aggregate Industries |
| 4 | Crack Sealing | Superior Sealcoat |
| 5A | Basin Cleaning | Vigeant |
| #6 | Heavy Equipment Rental<br>Roadside Mower | Drum Hill Construction<br>Kohl Contracting |
| 7 | Traffic Markings | Markings, Inc. |
| 9 | Aggregate | Box Industries & Aggregate, Inc. |
| 14 | Excavation by Cold Planer | Costello Industries, Inc. |
| 15 | In-place Recycling Bituminous Concrete | Garrity Asphalt |
| 16 | Vertical Granite Curb | DeRosa Contracting |
| 17 | Sloped Granite Curb | McIver Brothers |
| 18 | Removal/Reset Curb | DeRosa Contracting |
| 19 | Guardrail | DeLucca Fence |

Stop Loss Insurance

Mr. Lynch reported that Cook & Company provided the low bid of $90,000 for this reinsurance policy. Selectman McCall made a motion to approve Cook & Company for the Stop Loss Insurance policy effective July 1, 2000. Selectman Eliopoulos seconded, motion passed unanimously.

Property & Casualty Insurance

Massachusetts Interlocal Insurance Agency (MIAA) submitted the only bid for this insurance at a cost of $175,000. They hold the current policy. Selectman McCall made a motion to approve the renewal of the property and casualty insurance coverage with MIAA. Selectman Moran seconded; motion passed unanimously.

GIS

Four proposals to perform a GIS Needs Analysis & Implementation Plan were presented to the Town. Based upon the quality of their presentation and experience, Applied Geographics of Boston, MA was determined to be best qualified to provide computerized mapping program to the Town. Selectman Moran moved to approve the award of the GIS contract to Applied Geographics. Selectman Dalton seconded, motion passed unanimously.

SCHEDULED BUSINESS

Central Square Easements

Jim Pearson, Town Engineer, reviewed the Town Meeting votes enabling the taking of easements necessary to complete the redesign of Central Square. There are 14 takings at $1 per parcel. A map containing the proposed easements was shown. Selectman McCall moved to execute the orders of takings as presented by Mr. Pearson and prepared by Vanasse Hangen Brustlin, Inc. Selectman Dalton seconded, motion passed unanimously.

DPW Facility Project

Mr. Lynch stated that the Town is in the process of preparing an RFP for engineering/architectural services to review possible sites and to provide preliminary plans to accommodate a centralized DPW facility. This is in accordance with recommendations contained in the MMA Consulting Group report of May, 2000. Every Town-owned parcel of more than 10 acres in size will be considered, including the existing site at Richardson Road. Altogether there are 11 sites that have been identified for review.

NEXT REGULAR MEETING

Selectman Dalton made a motion to go into executive sessions for the purpose of discussing litigation. The motion passed unanimously by roll-call vote as follows: Weisfeldt-Aye, McCall-Aye, Moran-Aye, Eliopoulos-Aye, Dalton-Aye. The next meeting is scheduled for Monday, July 16, 2001 at 7:00 p.m. There being no further business the regular meeting adjourned at 12:50 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## July 16, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Proclamation – Korean War Armistice Day
- School Department Retirees – Certificates of Appreciation (36)

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: Application for Wine & Malt Beverages License
Cleopasta, Inc. d/b/a Home Made Pasta Italian Restaurant
61 Central Square

**7:40 p.m.** North Chelmsford Water District

**7:55 p.m.** Public Hearing: Petition to Install Underground Fiber in Existing Conduit
AT&T Local Network Services

**8:05 p.m.** Continuation of Public Hearing: Transfer of All Alcohol License
Boulevard Lounge d/b/a Velocity
100 Tyngsboro Road

**8:15 p.m.** Request for Road Opening Permit - Clifford Prentiss, 378 Acton Road

**8:20 p.m.** BOS Approval: Verizon and Mass. Electric Joint Petition
Replace & Install Poles on Billerica Road
(Public Hearing Not Necessary)

***** This meeting is televised. *****

**Unscheduled Business**

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: August 13, 2001

**BOARD OF SELECTMEN MEETING MINUTES**
July 16, 2001

A regular meeting of the Board of Selectmen was held on July 16, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

**OPEN SESSION**

Proclamation: Korean War Armistice Day

Selectman McCall read a proclamation regarding Korean War Armistice Day. The event will be honored on July 27, 2001 with a ceremony at Veteran's Park.

Certificates of Appreciation - School Department Retirees

Thirty-six employees of the School Department were honored for their service to the community upon the occasion of their retirement. Those present came before the board and accepted certificates of appreciation.

Proctor Road Property

Joanne Chaulk of 12 Linden St. came before the board to request the board and Town Manager seriously consider the purchase of eleven acres of land off Proctor Road. In her opinion, the land is a sensitive environmental area and should be protected and preserved.

Nashoba Valley Regional Technical School

The carpentry students at the Nashoba Valley Regional Technical School recently completed a new desk and table for the Selectmen's meeting room. Sam Poulten, Chelmsford representative to the Nashoba Valley Technical High School District, appeared on behalf of the students to gauge the board's reaction. The Board reported being very pleased with the students' work.
Mr. Poulten went on to thank Selectman Dalton for his attendance at the last Nashoba Valley Tech school committee meeting. The committee was very pleased to have the board's interest. Mr. Lynch took the opportunity to announce a possible date for a joint meeting of the School Committee, Finance Committee, Board of Selectmen and the Nashoba Valley Technical School Committee. A tentative date of September 10 was noted.

**SCHEDULED BUSINESS**

Application for Wine and Malt Beverages License - Cleopasta, Inc. d/b/a Home Made Pasta Italian Restaurant, 61 Central Square

Dennis McHugh came before the board on behalf of Cleopasta, Inc. requesting a beer and wine license for Homemade Pasta Italian Restaurant. 61 Central Square. The owner, Cleonice Fazzorlari has completed the TIPS course.
Selectman McCall made a motion to approve a wine and beer license for Cleopasta Inc. d/b/a Homemade Pasta Italian Restaurant, 61 Central Square for the hours of 11:30 am to 11:00 pm Monday - Saturday. Motion seconded, license approved unanimously.

North Chelmsford Water District - Salt Usage

Attorney Mary Bassett-Stanford, representing the North Water District came before the board to voice concern over the sodium levels found in the well water in the North District. Bruce Harper, Bruce Clark and Buddy Harper of the North Water District were also in attendance. The district requests that the Town expand the "no salt" policy to include an additional eight streets. Ms. Bassett-Stanford reported that a letter had been sent in April outlining this request with no response from the Town. The district maintains that a reduction in salt use will improve the condition of the water. She went on to say that if the Town takes the lead the state will likely follow. The district would also like to sponsor a warrant article that would support a study of the relocation of the DPW off Richardson Road.
There is a low-salt policy in place regarding the use of salt, responded Mr. Lynch. The Town generally uses a 6-1 ratio but this is variable in response to specific road conditions. A no-salt policy was tried at one time but proved insufficient in alleviating dangerous road conditions. As salt-use is consistent throughout the Town, it would seem likely that all water sources would have similar problems, said Mr. Lynch. The variable seems to be the North District's proximity to Route 3. Selectman Eliopoulos suggested that improvements to Route 3 might help the problem, as the drainage system will be closed. As for the warrant article, Mr. Lynch pointed out that $50,000 had been appropriated at Town Meeting to conduct a DPW study, therefore, an additional article would be redundant. Part of this study is to look at alternative sites for the DPW. The board suggested that if the water district had ideas for alternatives they should certainly bring them forward. Mr. Lynch agreed to continue to monitor the use of salt and to seek possible alternatives for the location of the DPW.

Public Hearing – Petition to Install Underground Fiber in Existing Conduit AT&T Local Network Services

Selectman McCall made a motion to continue the public hearing to install underground wiring to the following meeting. Motion seconded, hearing continued to the next meeting.

Public Hearing – Transfer of All Alcohol License for Boulevard Lounge d/b/a Velocity Lounge, 100 Tyngsboro Road

Selectman McCall made a motion to continue the public hearing for a transfer of license for Velocity Lounge, 100 Tyngsboro Road to the meeting scheduled for August 13th. Motion seconded and approved unanimously.

Road Opening Permit – Clifford Prentiss, 378 Acton Road

Clifford Prentiss, 378 Acton Road came before the board seeking a permit to open Acton Road for the purposes of installing a water and sewer hookup. He explained that in April after receiving all the proper permits, hiring a police detail and the necessary crew, the pavers came through before the connection could be made. Mr. Prentiss requested that they be given the time to complete the job and was told by the engineer that they would. However, the paving was done anyway. Now he is seeking a permit to open a small section of the street to complete the job, rather than wait three years as mandated by the town bylaw. The Board went over a letter from the DPW, which is strongly opposed to

granting the permit. The integrity of the road could be compromised and the abutters, who have put up with the inconvenience of the sewer project, would be further inconvenienced. Mr. Prentiss insisted that at the time, an engineer and a public works supervisor agreed to hold up the paving in order to give time to finish the job. However the board had no evidence to corroborate this.
Selectman McCall made a motion to continue the discussion to allow for time to seek more information on the situation. Motion to continue passed unanimously.

BOS Approval: Verizon-Mass Electric – Joint Petition Replace and Install Poles on Billerica Road (Public Hearing Not Necessary)

Kathy Frazier of Verizon came before the board to request placement of 9 additional poles and removal of poles. The plan has been approved by the State this portion of Billerica Road is a State road.
Selectman McCall made a motion to approve the pole petition plan # 980 (dated 5/21/01), to place nine (9) poles and one (1) push brace and remove eight (8) poles. Motion seconded and approved. (Selectman Dalton was not present for the vote).

**TOWN MANAGER REPORTS**

Budget

Mr. Lynch went over the budget for FY 2002. It is likely that the state budget will not be finalized before September. It is anticipated that there will be slightly more in Chapter 70 money and less in lottery. Lottery monies were received in February that would be applied to 2002. Mr. Lynch then went over the particulars for revenue.

Fire Department Staffing

Mr. Lynch reported that given recent retirements, a long-term illness, a leave of absence and two firefighters injured in the line of duty the fire department is short nine firefighters. Analysis has been done and the short-term solution is to redeploy the staff and move them from the west and east to the center during the day. The public will be notified when this measure is in effect.

Brick House Pizza Building

The Brick House Pizza Building has been put on the market for sale. Proposals will be sought with a closed bid.

Affordable Housing

Through a joint venture with Lowell, a number of proposals have come in concerning affordable housing. One hundred forty units have been proposed for a site on Littleton Road. Six more units have been proposed for a site adjacent to My Father's House on Highland Avenue and Princeton Street. The support of affordable housing opportunities continues to be a goal of the board.

**SELECTMEN REPORTS AND REFFERALS**

- Selectman Weisfeldt reported that the Sewer Commission hasn't met of late. The 4th of July celebration was a tremendous success.

- Selectman Dalton was reported on the progress of the 202 program. It has been very busy working with abutters and residents in securing support for the proposed affordable housing. The plan is going before the Board of Appeals Thursday night.
- Selectman Dalton reported on the Secondary School Building Committee. The Committee has received thirteen RFQs to perform the preliminary study and has narrowed down the field to four. Interviews with the four selected architectural firms are being arranged. Jay Sullivan of the SBA came in and gave a presentation to the committee. Dean Carmeris, chairman of the SSBC was present and invited to come forward and provide an update on the committee. Mr. Carmeris said a firm would be selected by the end of July. The presentation by Mr. Sullivan was very informative. A building needs conference with the SBA would be scheduled in late October or early November to outline the scope of the project. The proposal should go before town meeting in April.
- Selectman Eliopoulos reported that the Route 3 project is on track and on budget. The temporary bridge overpasses are under construction. The crews have been very conscientious about limiting Friday night work in the summer. The August meeting agenda includes the condition of the staging area.
- Selectman Moran recommended there be more signage on the ramps. Currently the breakdown lane in certain sections of the route 3 is being used as the second lane. There are stop signs on the ramps but more could be done. Selectman Eliopoulos would bring it up at the next PAC meeting.
- Selectman McCall brought up the recent controversy over plans to redistrict both the state and congressional districts. Bud Caulfield has recommended that the best tact would be a grassroots effort to oppose redistricting. Selectman Moran went on to say that this is a bipartisan effort to get the best possible representation for the community. He recommended the draft of a letter. Selectman McCall moved that the board support the effort to keep the 5th Congressional District intact and communicate to Thomas Finneran and Thomas Birmingham to that effect. Motion seconded and approved unanimously.
- Selectman Moran reported receiving a letter from Kevin Sullivan concerning a survey that is to be done before the end of the year regarding the proposed Nashua to Boston train and stations. Selectman Moran suggested the board support such a survey and communicate their support.
- Selectman Moran requested an update on the Pink House. Mr. Lynch said bids have gone out for the roof work. Work should begin in August.
- Selectman Moran reported that there was a stop sign located on the left side of the road. He suggested it be moved to the right. Mr. Lynch would look into it.
- Selectman Weisfeldt requested an update on the Glenview Gravel site. Mr. Lynch said the 750,000 cubic yards of fill was in place, with capping and grading to follow.
- Selectman Moran reported that e-mail correspondence had been received from the school representative on the School Building Needs Committee regarding the committee member appointment process. The committee member recommended the selection of a candidate to fill the absent spot have a child in the Chelmsford school system. Selectman Moran said that the town manager had appointment

authority and had done an excellent job in choosing a well-qualified committee members.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, August 13, 2001 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing real property. There being no further business the board voted by roll to adjourn at 9:55 PM.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## August 13, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Selectmen Meetings: March 28, 2001
  April 9, 2001
  April 23, 2001
  April 30, 2001
  June 18, 2001

- Executive Session: March 28, 2001

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

| | | |
|---|---|---|
| 7:30 p.m. | Continuation of Public Hearing: | Transfer of All Alcohol License<br>Boulevard Lounge d/b/a Velocity<br>100 Tyngsboro Road |
| 7:40 p.m. | Application for Transfer of Underground Storage: | Marchand Realty Trust<br>8 Emerson Avenue |
| 7:45 p.m. | Request for Street Opening Permit: | Intersection of Proctor Road and Buttercup Lane |
| 7:50 p.m. | Continuation of Public Hearing: | AT&T Local Network Services<br>(f/k/a Teleport Communications Group)<br>Placement and Installation of Underground Conduit, Technology Drive |

***** This meeting is televised. *****

**Unscheduled Business**

- BOS Vote re Beede Waste Oil Site

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting**: August 27, 2001

## BOARD OF SELECTMEN MEETING MINUTES

## AUGUST 13, 2001

A regular meeting of the Board of Selectmen was held on August 13, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

### OPEN SESSION

Fire Station Closure - Francis Conlin

Francis Conlin, president of the Firefighter's Union, spoke in opposition to the proposed plan to close two stations on weekdays and move the staff to the Center Station. This plan is in response to the anticipated temporary deficit in staffing due to retirements, injuries and leave of absences. Mr. Conlin claimed such closures would lead to longer response times leaving both citizens and firefighters in jeopardy. Selectman Moran thanked Mr. Conlin for his remarks.
Jimmy Peticcia, a firefighter in North Andover, strongly urged the board to take action immediately to change this proposed policy and look at other options. Selectman Moran said he had met with the president of the Union and looked at alternatives. He was not at liberty, however, to discuss such options.

### APPROVAL OF MINUTES

Selectman Meetings: March 28, April 9, April 23, April 30 and June 18, 2001, Executive Sessions: March 28, 2001

Selectman McCall made a motion to approve the minutes from the regular meetings of March 28, April 9, April 23 and June 18, 2001. Motion seconded, minutes approved unanimously.
Selectman McCall made a motion to approve the minutes from the regular meeting of April 30, 2001. Motion seconded, minutes approved with one abstention. (BD abstained).
Selectman McCall made a motion to approve the minutes from the executive session of March 28, 2001. Motion seconded, minutes approved unanimously.

### SCHEDULED BUSINESS

Continuation of Public Hearing: Transfer of All Alcohol License, Boulevard Lounge d/b/a Velocity, 100 Tyngsboro Road

Attorney Dan Wilkins, representing Euriene Rodriguez Inc. came before the board to request a transfer of the all alcohol license currently held by Boulevard Lounge d/b/a Velocity, 100 Tyngsboro Road to the new owner, Euriene Rodriguez. She is TIPS certified. The current license is until 2 am. The license would reflect a change in name as well, from Boulevard Lounge to Alambique Lounge.
Selectman McCall made a motion to approve an All Alcohol and Entertainment License for Alambique Inc., d/b/a Alambique Lounge, 100 Tyngsboro Road with the hours of operation of 11 am - 2 am weekdays and 12 pm - 1 am on Sunday, subject to a favorable

criminal history board check. Motion seconded. Transfer of license approved unanimously.

Application for Transfer of Underground Storage: Marchand Realty Trust, 8 Emerson Avenue

Lee Marchand, Marchand Realty Trust, 8 Emerson Avenue, came before the board to request a transfer of underground storage license from Larry and Iris Larssen, 34 Elm Street, Chelmsford.
Selectman McCall made a motion to approve the transfer of underground storage for 50,000 gallons of gas and 10,000 of fuel oil to Marchand Realty Trust, 8 Emerson Ave. Motion seconded, transfer approved unanimously.

Request for Street Opening Permit: Intersection of Proctor Road and Buttercup Lane

Selectman McCall made a motion to withdraw the petition for a street opening permit for the intersection of Proctor Road and Buttercup Lane. Motion seconded, motion to withdraw approved unanimously.

Continuation of Public Hearing: AT&T Local Network Services (f/k/a Teleport Communications Group) Placement and Installation of Underground Conduit, Technology Drive

Selectman McCall made a motion to continue the public hearing for the placement and installation of underground conduit on Technology Drive by AT&T Local Network Services. Motion seconded. Motion to continue the public hearing approved unanimously.

**TOWN MANAGER REPORTS**

Letter of Legislative Priorities

Mr. Lynch outlined a draft of a letter to Senator Fargo and Representative Cleven detailing the legislative priorities of the Town. These priorities include a more equitable formula for calculating Chapter 70 aid, additional money for affordable housing, chapter 40 autonomy, and strong opposition to binding arbitration. He gave an overview of the MMA's legislative agenda.
Selectman Moran praised the letter and suggested that Sen. Fargo and Rep. Cleven attend a Selectmen's meeting quarterly to provide updates and feedback. The board agreed.

Recycling Program

The recycling program staff position is currently vacant. The program has been awarded an $18,000 grant.

Pink House

Mr. Lynch reported no bids had been received for the roof job on the Pink House. The bids will be recirculated.

## UNSCHEDULED BUSINESS

Beede Waste Oil Site

Town counsel Kopelman & Paige disclosed that the firm is involved in representation related to the Beede Waste Oil Site. Selectman McCall made a motion to approve the determination in the Beede Waste Oil site under rule 3.07 of the Mass. Rules of Professional Conduct. Motion seconded, determination approved unanimously.

## SELECTMEN REPORTS AND REFFERALS

- Selectman Weisfeldt reported on a meeting of the Commission on Disabilities, where Richard Johnson was named liaison to the Planning Board. He further reported on a Sewer Commission meeting. The Town is making improvements to Town owned land adjacent to a baseball field, with the intention of using it as a parking lot.
- Selectman Weisfeldt noticed a number of real estate signs are showing up on utility poles in violation of the Town bylaw. Mr. Lynch replied that the signage was a nuisance. The police are instructed to keep an eye out for the perpetrators and remove the signs as necessary.
- Selectman Dalton reported that the SSBC chairman has reviewed OMR's references. The firm will be meeting with the committee at its next scheduled meeting.
- During the last big rain, a storm drain on Thomas Drive didn't appear to be draining said Selectman Dalton. Mr. Lynch said he would look into it.
- Residents on Willis Drive have called concerning when work to the road will begin, reported Selectman McCall. Mr. Lynch responded that the work was delayed somewhat due to the Conservation Commission's concern over drainage.
- Lowell has approved the closure of Steadman St., reported Selectman Eliopoulos, with work scheduled to begin at the end of March. Smith St. will not be the designated detour. In other Route 3 news, the noise barrier study RFP has gone out. Speed will be reduced to 45 miles per hour in construction areas on Route 3. Some of the stop signs on the on-ramps will be changed to "yield" signs. The state has agreed to limit some of the tree clearing zones.
- Selectman Eliopoulos further reported that four million dollars is available through the open space fund. Michael Strohman of the DEP is leading a subcommittee. The subcommittee will need a liaison. Andy Sheehan was suggested for the position.
- Selectman Eliopoulos will pass along a packet to Mr. Lynch from Modern Continental regarding twelve possible sites for "rest areas" or "service stations". The potential parcels would be put out for bid to private developers. Three of the targeted sites are in Chelmsford. The board agreed that there should be strong discouragement towards developing any of the three sites.

- Selectman Moran attended a Tyngsboro Board of Selectmen meeting where a representative from the New Hampshire Regional Planning Commission gave a presentation regarding the Nashua-Boston rail line. The Tyngsboro Board voted to support a train station in the vicinity of Tyngsboro. Selectman Moran would like to arrange for a joint meeting with this board, along with the boards from Dracut, Westford and Dunstable, for the purpose of having the New Hampshire Commission make the presentation for all the surrounding communities. If a joint meeting with all the boards proves unrealistic, perhaps liaisons from the Dracut, Westford and Dunstable boards could attend.
- A "Save the 5th District Breakfast" is planned for Saturday, Sept. 15 at 8 am. Selectman Moran has been working with Bud Caulfield to organize the event. An organizational meeting in scheduled for Thursday at 7 PM at Skips.
- In response to a question regarding the Glenview site, Mr. Lynch said that the site is filled and the Town is awaiting the final payment.
- Selectman Moran inquired as to the progress on a crosswalk and lights at Drum Hill. Mr. Lynch responded that it was being worked on.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, September 10, 2001 at 7:00 p.m. The board voted to adjourn to an executive session for the purpose of discussing real property. There being no further business the board voted by roll to adjourn at 9:55 PM.

Respectfully submitted,

Donna McIntosh

## JOINT MEETING

**Board of Selectmen, Finance Committee, School Committee, Nashoba Tech**

**September 10, 2001/7:00 p.m.**

**Location: Adams Library**

AGENDA

| | |
|---|---|
| 7:00 – 7:15 | SSBC Update |
| 7:15 – 7:45 | Nashoba Tech Report |
| 7:45 – 8:15 | FY02 Budget Condition |
| 8:15 – 9:00 | Financial Forecast FY03 – FY07 |

*******

***** This meeting is televised. *****

**JOINT MEETING**
**BOARD OF SELECTMEN, FINANCE COMMITTEE, SCHOOL COMMITTEE AND NASHOBA VALLEY REGIONAL TECHNICAL SCHOOL COMMITTEE**

September 10, 2001

**MEETING:** A joint meeting was held on Wednesday, September 10, 2001 at 7:30 p.m. at the Adams Library.

**PRESENT:** *Board of Selectmen*: P. Eliopoulos, M. McCall, T. Moran, S. Weisfeldt

*Finance Committee*: C. Jeannotte, B. Curry, S. Chase, M. Frantz, D. Hayward, K. Porter, D. Turocy

*School Committee*: R. Cruickshank, K. Mazza, R. Moser, J. Mallette, S. Pichette, C. Perkins, J. Trager, E. Thoren

*Nashoba Valley Regional Technical School Committee*: S. Poulten, R. Hulslander, R. Joyce, and P. Bagni

Also present Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager and members of the public.

**NOT PRESENT:** B. Dalton, Board of Selectmen

Meeting called to order at 7:30 PM.

Secondary School Buildings Committee Update

**Update:** D. Carmeris reviewed the progress of the committee. The architectural firm OMR was selected from a very strong field of qualified design firms. Work is in progress to hire a project manager. An aggressive timeline has been established between now and next spring. The committee's goal is to present the schematic design in February and bring it to a Special Town Meeting in March. The committee is hoping to make the June 1st deadline for approval to the SBA reimbursement program. The committee voted to use the recommendations of the Building Needs Committee as a guideline.

**Communication Plan:** An effective communication plan is the key to the success of the project. Some components of the plan include; periodic briefings to the town in a variety of venues; local television coverage; public information sessions, and an informational website.

Nashoba Valley Technical School

**Update:** S. Poulten, Nashoba Valley Technical School Committee introduced the other members of the committee present and went on to introduce members of the school staff, Ann Roach, Carol Krieger, Victor Kowolski. B. Joyce spoke about the school's twenty technical areas, highlighting the addition of six in the last four years. Three programs will be added in the near future. Seven Chelmsford students have been involved in a dual enrollment program where they take both high school and college courses simultaneously.

**MCAS Preparation:** S. Poulten addressed MCAS preparation. Programs include summer school, SAT and PSAT after school prep programs and tutoring. E. Thoren asked where the MCAS figures for 2001 were. S. Poulten replied the report had just been received. The figures would be addressed at the next meeting, scheduled for October. As always, the meetings are public.

**Chelmsford Enrollment:** The number of Chelmsford students enrolled at NVTS as of September 6th is as follows:

| | | |
|---|---|---|
| 9th Grade | - | 27 |
| 10th Grade | - | 25 |
| 11th Grade | - | 28 |
| 12th Grade | - | 29 |
| Total | | 109 |

NVTS graduated 24 Chelmsford students in 2001. S. Poulten fielded a question regarding enrollment numbers. There is an aggressive recruitment program in place at the middle schools. Some new marketing features include a web site, television spots and printed collateral.

**Expansion and Renovation:** S. Poulten, chair of the Building Needs Committee, provided an overview of the expansion and renovation project. The plan is to renovate the existing building and add a 500-seat auditorium and media center. In July 2001 the bids came in too high and went back out to bid. Groundbreaking could begin in Winter 2001. The reimbursement rate came in at 63%. Members of the school committee emphasized the need for regular and predictable communication with the NVTS School Committee. The NVTS would make a meeting schedule available. He said any concerns should be directed to the superintendent who welcomes input from the public.

FY 2002

B. Lynch reported revenue figures are down. New building development in Town has slowed dramatically. There is evidence that the economy is slowing. The projected budget shortfall for FY 2002 is $745,718. This figure can be made up for this year but the biggest concern is for FY 2003 and the future. Trends and future forecasts reflect a growing deficit over the next five years, up to $2.9 million by 2005. The budget must however, be brought in line. Difficult decisions must be made on how this is to be done. The situation requires careful scrutiny and planning.

School Department Five Year Plan

Richard Moser, School Superintendent, said the budget for FY2002 was $40,260,000. Planning for FY2003 was beginning now. The net result of salary related increases appears to be about $2 million. Discussion turned towards what it would mean to cut the budget and the distribution of debt between school and non-school budgets. The board and both committees agreed that there needs to be more discussion around this issue. Members of the School Committee wondered if there was a Board policy regarding a debt reduction formula. The board said there wasn't and the Finance Committee agreed that there shouldn't be. The board would continue to study the budget and the philosophy of the Town Manager closely. B. Lynch said there would be another meeting at the end of December or the beginning of January.

There being no further business the meeting adjourned at 9:30 pm.

Respectfully submitted,

Donna M. McIntosh

**BOARD OF SELECTMEN**
**MEETING MINUTES**

**September 19, 2001**

A regular meeting of the Board of Selectmen was held on September 19 at the Town Offices beginning at 4:00 p.m. Board members present were Michael McCall, Thomas Moran and Philip Eliopoulos. Also present were Bernard Lynch, Town Manager; John Coderre, Assistant Town Manager; and James Pearson, Town Engineer.

CONFIRM TAKINGS FOR CENRAL SQUARE DESIGN PROJECT

James Pearson, Town Engineer, reviewed actions taken by the Board at its July 3, 2001 meeting relative to the taking of easements in Central Square. There are 14 takings at $1 per parcel. Due to a 30-day restriction on filing the easements with the Registry of Deeds, a re-vote is necessary at this time, along with an affidavit signed by the Selectmen certifying that the original vote was taken by the Board on July 3.

Selectman McCall made a motion to confirm the vote to execute the orders of taking as presented on July 3, 2001. Selectman Eliopoulos seconded. Motion passed unanimously.

APPLICATION FOR ONE-DAY ALL-ALCOHOL LICENSE
ST. VARTANANTZ CHURCH

St. Vartanantz Church applied for a One Day All Alcohol License for an event to be held September 22. Selectman McCall made a motion to approve the application for the license. Selectman Eliopoulos seconded. Motion passed unanimously.

FALL TOWN MEETING WARRANT

Mr. Lynch distributed draft copies of the Warrant. Discussion followed on the possible purchase of Redwing Farm, a Noise By-law submitted by the Police Department, and proposed amendments to the current Wireless Communications ByLaw.

There being no further business the meeting adjourned at 5:00 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## September 24, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**
- CBA Presentation – Skateboard Park

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Selectmen Meetings: May 21, 2001
  June 4, 2001
  July 3, 2001
- Executive Session: May 21, 2001
  June 4, 2001
  July 3, 2001

**Town Manager Reports**

**Town Manager Appointments**
- Recycling Committee

**Town Manager Bids/Contract Awards**
- DPW Site Study

**Scheduled Business**

7:15 p.m. F. Mansfield, Teasurer: Approval of Capital Project Borrowing

7:30 p.m. Transfer of Common Victualer License: Papa John's Pizza to Xpress Pizza
85 Parkhurst Road

7:35 p.m. Change in Manager: Sakura Japanese Cuisine, 7 Summer Street

7:40 p.m. Transfer of Common Victualer License: JT's 110 Restaurant to
JD's 110 Restaurant

7:45 p.m. Application for Street Opening Permit (Continuation): Mrs. Prentiss
378 Acton Road

***** This meeting is televised. *****

| | | |
|---|---|---|
| 7:55 p.m. | Continuation of Public Hearing: | AT&T Local Network Services<br>(f/k/a Teleport Communications Group)<br>Placement and Installation of Underground<br>Wires, Cables and Fiber in **Existing**<br>Verizon Conduit - Technology Drive |
| 8:00 p.m. | Public Hearing: | AT&T Local Network Services<br>(f/k/a Teleport Communications Group)<br>Placement and Installation of Underground<br>Wires, Cables and Fiber - Technology Drive<br>And North Road |
| 8:05 p.m. | Public Hearing: | WorldCom Inc.<br>Placement and Installation of Underground Conduit<br>Riverneck Road, Billerica Road |

**Unscheduled Business**

- Chelmsford Housing Authority – Conveyance of Groton Road Parcels
- Grant of Land off Smith Street – Center Water District
- Sale of Building 65 – 67 Middlesex Street

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting: October 1, 2001**

**BOARD OF SELECTMEN MEETING MINUTES**
**SEPTEMBER 24, 2001**

A regular meeting of the Board of Selectmen was held on September 24, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## OPEN SESSION

Events of September 11 - Firefighter Recognition

Joel Karp, 8 Derringer Road came forward to ask for public recognition of the firefighters from Chelmsford who went to New York City to aid in emergency efforts after the tragic events of September 11, 2001. Mr. Lynch read the names of the firefighters who took it upon themselves to go and help and thanked them for their efforts on behalf of the Town.

Recognition of Chelmsford Business Association Donation to Skateboard Park

Doug Hausler accepted a plaque on behalf of the CBA in recognition of their $5,000 donation to the skateboard park. Jeff Hardy and John Harrington of the CBA were also in attendance. The plaque will be placed at the skateboard park. Mr. Lynch thanked the CBA for their continued support of community activities.

Water District Report

John Harrington, water district commissioner, announced that summer water restrictions had been lifted as of September 15, 2001 and thanked the residents for their cooperation.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MINUTES

Selectman McCall made a motion to approve the minutes from the BOS meetings of May 21, June 4 and July 3, with an amendment to the May 21 meeting. Motion seconded. Minutes approved as amended unanimously.

Selectman McCall made a motion to approve the minutes from the BOS executive sessions of May 21, June 4 and July 3. Motion seconded. Minutes approved unanimously with one abstention. (B. Dalton abstained).

## SCHEDULED BUSINESS

F. Mansfield, Treasurer: Approval of Capital Project Borrowing

Fred Mansfield came before the board seeking approval for capital project borrowing. The Town sought bids for short term-financing for a number of capital projects including the sewer project and police station. This loan will come due in June, 2002. The low bid came in from Eastern Bank for 2.2280%.

Selectman McCall made a motion to approve the capital project borrowing of $2,385,000, payable June 27, 2002 to Eastern Bank, plus a premium of $9,337 for a net cost of $2,394,337. Motion seconded and approved unanimously.

Transfer of Common Victualer License: Papa John's Pizza to Xpress Pizza, 85 Parkhurst Road

Mr. Naranda Patel came before the board to request a transfer of common victualer license for Papa John's Pizza to Xpress Pizza, 85 Parkhurst Road. The change is in name only. The hours of operation and menu will remain the same.

Selectman McCall made a motion to approve the transfer of common victualer license from Papa John's Pizza to Xpress Pizza, New England, 85 Parkhurst Road for the hours of operation from 11 am - 2 am Weekdays and 11 am - 12 am Sundays. Motion seconded, license approved unanimously.

Change in Manager: Sakura Japanese Cuisine, 7 Summer St.

Kim Ng came before the board to request a change in manager for the Sakura Japanese Cuisine, 7 Summer St. Selectman Eliopoulos confirmed Mr. Ng's TIPS certification.

Selectman McCall made a motion to approve the change in manager for Sakura Japanese Cuisine, 7 Summer St. subject to a favorable CORI report. Motion seconded and approved unanimously.

Transfer of Common Victualer License: JT's 110 Restaurant to JD's 110 Restaurant

James Dong came before the board seeking a transfer in common victualer license for JT's 110 Restaurant to JD's 110 Restaurant.

Selectman McCall made a motion to approve the transfer of common victualer license for JD's 110 Restaurant, 257 Littleton Road for the hours of operation between 5 am and 11 pm. Motion seconded and approved unanimously.

Application for Street Opening Permit (Continuation): Mrs. Prentiss, 378 Acton Road

Mrs. Clifford Prentiss, 100 Mill Lane, Norwell came before the board to request a street opening permit for 378 Acton Road. This is a continuation from the July 16 meeting. Mrs. Prentiss read a letter from Mr. Prentiss to the board which states in summary that after securing all necessary permits, traffic details and crew, the street pavers came through on the scheduled day and interrupted plans to complete a water hookup for the property at 378 Acton Road. Mr. Prentiss says that a Public Works supervisor and the Town's consulting engineer requested that the work be allowed to proceed but the request was unheeded. Now Mr. Prentiss is requesting a street opening permit for the water hookup to be completed. Mrs. Prentiss stated that Jim Pearson, D.P.W. Director, had indicated to Mr. Prentiss that he supported the opening if high tech surfacing materials were used. Mr. Lynch was unable to corroborate this with Jim Pearson. Mrs. Prentiss also reported that plans to pursue a well met with resistance from the Board of Health due to a "plume" in the area. The inability to install a well, combined with the street opening policy, presented a hardship for the family.

Selectman McCall made a motion to approve the street opening permit conditional upon documentation from the Board of Health that a well would not be permitted on the property and with the inclusion of a 5-year $10,000 bond, as well as approval of the composition of the patch and installation method by Jim Pearson. Motion seconded and approved unanimously.

Continuation of Public Hearing: AT&T Local Network Services (f/k/a Teleport Communications Group) Placement and Installation of Underground Wires, Cables and Fiber in Existing Verizon Conduit-Technology Drive)

Joseph Gleason came before the board on behalf of AT&T Local Network Services to request approval for the placement of 2,174 feet of cable in existing conduit on Technology Drive. Jim Pearson has approved the plan.

Selectman McCall made a motion to approve a plan for the placement of 2,174 feet of wires, cables and fibers in existing Verizon conduit on Technology Drive. Motion seconded and approved unanimously.

Public Hearing: AT&T Local Network Services (f/k/a Teleport Communications Group) Placement and Installation of Underground Wires, Cables and Fiber - Technology Drive and North Road

Selectman McCall made a motion to approve a plan for the placement and installation of underground wires, cables, and fiber for the transmission of intelligence upon and under the following public streets and ways: Technology Drive-approximately three hundred fifty-five feet (355.0') from existing Bell Atlantic manhole to North Road; and North Road-approximately one hundred fifty-one feet (151') from Technology Drive to M.E. Co. Pole No. 127. Motion seconded, plan approved unanimously.

Public Hearing: WorldCom Inc., Placement and Installation of Underground Conduit, Riverneck Road, Billerica Road

Gisela Gauthier-Koelhoffer, right-of-way specialist for WorldCom Inc. came before the board to request permission for the placement of installation of underground conduit on Riverneck Road and Billerica Road. Jim Pearson has approved the proposed plan.

Selectman McCall made a motion to approve the plan for the placement and installation of underground conduit on Riverneck Road. Motion seconded, plan approved unanimously.

**TOWN MANAGER APPOINTMENTS**

Recycling Committee

Selectman McCall made a motion to approve the Town Manager appointments to the Recycling Committee as follows: Richard Conti, 32 Stedman St.; Mark Gallagher, 6 Aberdeen Rd.; Marc Grant, 103 Kristen Dr. Ext; Nancy Kaelin, 22 Fairbanks Rd.; Johanna Morse, 45 Clarissa Rd.; Lisa Sarnie, 6 Byam Rd.; John Coderre, 50 Billerica Road. Motion seconded, committee appointments approved unanimously.

**TOWN MANAGER BIDS/CONTRACT AWARDS**

DPW Site Study

The bid award for the DPW Site Study has gone to Gannet Fleming for the amount of $38,000. Part of the study's focus is to seek out and review, along with a committee, a number of sites for the DPW. Mr. Lynch requested that the water district provide information regarding alternate sites.

Selectman McCall made a motion to approve the Town Manager's award of the contract for the DPW Site Study to Gannett Fleming for $38,000. Motion seconded, contract award approved unanimously.

Fire Department Vehicle Bid Awards

Selectman McCall made a motion to approve the Town Manager's award for a Four Wheel Drive Utility Vehicle to Quirk Fleet Sales of Quincy, MA for the amount of $25,796. Motion seconded, bid award approved unanimously.

Selectman McCall made a motion to approve the Town Manager's award for a One Ton Pick-up Truck bid to Colony Truck Center in Warwick, RI for the amount of $24,987. Motion seconded, bid award approved unanimously.

## TOWN MANAGER REPORTS

Infrastructure Projects

The Freeman Bike Trail and Central Square projects have gone out to bid. Mr. Lynch noted that he had been working on the bike trail project since 1983. Bids for the Central Square project should be coming back in the middle of October. The contract should be awarded in November with work to begin in early spring.

Recycling Drop-off

The bi-annual recycling drop-off was very successful. Four roll-offs were filled with scrap metal over the course of the weekend. The site should be cleaned up by Tuesday. Mr. Lynch commended the efforts of the employees and volunteers who helped at the drop-off.

Budget

Mr. Lynch reported that he met with FinCom to present and discuss the budget for FY 2002.

## UNSCHEDULED BUSINESS

Chelmsford Housing Authority – Conveyance of Groton Road Parcels

Mr. Lynch requested board approval to convey land on Groton Road to the Chelmsford Housing Authority.

Selectman McCall made a motion to approve the transfer of two parcels of land on Groton Road to the Chelmsford Housing Authority for the amount of one dollar as approved at the Spring 2001 town meeting. Motion seconded, conveyance approved unanimously.

Grant of Land off Smith Street – Center Water District

Selectman McCall made a motion to approve the transfer of a parcel of land off Smith Street from the Town of Chelmsford to the Center Water District for the purpose of installing a well for the amount of one dollar. Motion seconded, transfer approved unanimously.

Sale of Building 65 – 67 Middlesex Street

Selectman McCall made a motion to approve the sale 65-67 Middlesex St. to Michael Brown for the amount of $60,000. Motion seconded, sale approved unanimously.

## SELECTMEN REPORTS/REFERRALS

- Selectman Weisfeldt announced the opening Pop Warner game would be dedicated to the NYC firefighters, police and relief workers.

- The annual book sale to benefit the library was very successful, reported Selectman Weisfeldt.
- Selectman Weisfeldt thanked Selectman Moran for his help in organizing the "Save the 5th District" event. Selectman Dalton echoed that thanks.
- Selectman Dalton reported that work is progressing on the 202 affordable housing project. Groundbreaking should start in the spring with the units opening in the spring.
- Selectman Dalton reported the SSBC was seeking a project manager for the school building project. They were very interested in R.F. Walsh and will be meeting with them soon. The committee felt that R.F. Walsh was well suited to the project.
- Selectman McCall stated that he attended the first meeting of the Community Preservation Committee.
- Selectman Eliopoulos reported the unfortunate news that Mass Highway is rescinding its commitment to retest areas along the Route 3 corridor for sound barriers. The most effective strategy would be to go to the state with a coalition of communities affected by this problem. Mr. Lynch and the board encouraged members of the community to take their concerns directly to Mass Highway and their representatives. The board would continue to express its support of additional testing.
- Selectman Moran said plans were being made to have a joint meeting with the boards from Tyngsborough, Westford, Dracut and Dunstable regarding the proposed Lowell to Boston rail service.
- Selectman Moran reported the annual Septemberfest was scheduled for September 30 at Southwell Park. Events start at noon.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, October 1, 2001 at 7 p.m. There being no further business, the board voted by roll call to adjourn at 9:15 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**October 1, 2001**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Proclamation – Knights of Columbus

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: Petition of Verizon New England Inc.
Richardson Road - Place cable in underground conduit

**7:35 p.m.** Dog Hearing: "Jake": Violations of Leash Laws
Owner: David Harrison, 11 Glendale Road

**7:55 p.m.** Application for One-Day Beer & Wine License – St. John Evangelist Church

**Unscheduled Business**

- License to Sell Christmas Trees – Gregory Spring
- *Always Remember 9-11* Fund
- Discussion of Warrant Articles

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting: November 5, 2001**

***** This meeting is televised. *****

## BOARD OF SELECTMEN MEETING MINUTES
## OCTOBER 1, 2001

A regular meeting of the Board of Selectmen was held on October 1, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen William Dalton, Philip Eliopoulos, Michael McCall, Thomas Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

### PUBLIC SERVICE ANNOUNCEMENTS

Proclamation - Knights of Columbus

Selectman McCall read a proclamation declaring Knights of Columbus Week for Handicapped Children October 6 through October 13. During that week the Bishop Ruocco Council of the Knights of Columbus will conduct their annual Tootsie Roll Fund Raising Campaign. Proceeds from this event go to aid physically and mentally handicapped children in this community and throughout the Commonwealth of Massachusetts.

### OPEN SESSION

Sound Barriers

Steve Kinnal, 12 McFarlin Road, came before the board asking for information regarding sound barriers. Selectman Eliopolous said the State had committed to retesting certain areas. However, Commissioner Amorello of Mass. Highway later announced that this re-testing would not take place. Selectman Eliopoulos strongly urged residents to call and write their representatives. In addition, they should call Kevin Sullivan, Secretary of Transportation and express their concerns.

### SCHEDULED BUSINESS

Public Hearing: Petition of Verizon New England, Inc. Richardson Road - Place Cable in Underground Conduit

Robert Grassia, right of way manager for Verizon, 28 Diana Lane, Dracut came before the board to request approval for the placement of 573 feet of underground cable on Richardson Road.
Selectman McCall made a motion to approve the installation of 573 feet of underground conduit on Richardson Road. Motion seconded and approved unanimously.

Dog Hearing: "Jake" - Violations of Leash Laws, Owner: David Harrison, 11 Glendale Road

Donald Cassidy, 10 Glendale Road came before the board seeking relief from a dog that has been violating the leash law since 1997. Mr. Cassidy has complained ten times and written two letters to the board concerning Jake.
Frank Warren, Animal Control Officer, stated that he had responded on numerous occasions to complaints from Mr. Cassidy regarding Jake. Six citations have been issued to the Harrisons for leash law violations. Mr. Warren stated that the Harrisons said they would try to control their pet, but have not followed through as indicated by the repetitive

nature of the complaints. Selectman Eliopolous solicited a recommendation from Mr. Warren. Mr. Warren replied that it was unusual to have this number of repeat offenses, however, he didn't feel that Jake was a dangerous dog. He hoped that the owners would own up to their responsibility and keep the dog on their own property and respect the concerns of their neighbor.
Jeannie Harrison, 11 Glendale Road, came forward and stated that they have had problems with the electric fence and on occasion her young children have inadvertently let Jake out. The selectmen suggested a chainlink fence. Ms. Harrison rejected the suggestion. She could not promise that the dog would never get out again, but would try to keep him in. A recommendation from Police Chief McCusker was requested. Chief McCusker suggested giving the Harrisons another chance before taking further action against Jake.
Selectman McCall made a motion to recommend that Jake be either leashed or kept within a fence at all times. Any further violation of the leash law would require the owner to appear before the board and face further action that would not exclude the possibility of removing Jake from Town. Motion seconded, approved unanimously.

Application for One-Day Beer & Wine License - St. John Evangelist Church

Selectman McCall made a motion to approve the One-Day Beer & Wine License for St. John Evangelist Church for October 13 for the hours of 4:30 pm - 9 pm. Motion seconded, motion approved unanimously.

It was noted that there was no representative from St. John's present at the meeting. The board recommended to Mr. Lynch that in the future any group requesting an alcohol license have a representative present.

**UNSCHEDULED BUSINESS**

"Always Remember 9-11 Fund"

Jeff Beckwith, Mass. Municipal Association, sent correspondence seeking board support for the "Always Remember 9-11 Fund". The fund seeks donation from municipal employees around the country to help those municipal employees affected by the events of September 11th.
Selectman McCall made a motion to support the MMA and National League of Cities' "Always Remember 9-11 Fund". Motion seconded, motion approved unanimously.

License to Sell Christmas Trees - Gregory Spring, 34 Pine Hill Road

Selectman McCall made a motion to approve the license to sell Christmas Trees for Gregory Spring at Sully's Ice Cream, 55 Graniteville Rd. for the dates of December 1 - December 24 from 9 am - 5 pm. Motion seconded, license approved unanimously.

Discussion of Warrant Articles

Mr. Lynch presented the warrant articles for the October Town Meeting for the board's review and approval.

Article 1 - Reports

Article 2 - Free cash for stabilization fund

Article 3 - Free cash for tax relief

Article 4 - Budget amendment

Article 5 - Chapter 70

Article 6 - Salary increase for clerical union members ($38,393)

Article 7 - Clerical union increase

Article 8 - Medicaid reimbursement ($60,924)

Selectman McCall made a motion to approve Articles 1,2, 4, 5, 6, 7 and 8. Motion seconded, articles approved unanimously.

Selectman McCall made a motion to support the withdrawal of Article 3. Motion seconded, article withdrawn.

Article 9 - Late bills
Article 10 - E-rate
Article 11 - Community action (withdrawn)

Selectman McCall made a motion to approve Article 10 of the warrant articles. Motion seconded, motion approved unanimously.

Article 12 - Easements

Selectman McCall made a motion to approve Article 12 of the warrant articles. Motion seconded, motion approved unanimously.

Article 13 - Police station
Article 14 - Central Square project
Article 15 - Noise bylaw
Article 16 - Disability commission

Selectman McCall made a motion to approve Articles 15 and 16 of the warrant articles. Motion seconded, motion approved unanimously.

Article 17 - Water District petition

Selectman McCall made a motion to not support Article 17. Motion seconded, motion approved unanimously.

Article 18 - Glenview Sand and Gravel (hold)

Article 19, 20 and 21-(hold for report from Planning Board)

Article 22 - Wireless communications (hold)

**TOWN MANAGER REPORTS**

Center Project

Bidding has taken place on the Center Project and the Bike Trail. Commissioner Amorello was in attendance at the announcement that the Bike Trail was out to bid.

Pink House

Work has begun on the roof of the Pink House. Structural work is underway under the porch. Bids are being accepted for the exterior painting.

Police Station

Bids on the police station are coming in higher than expected. The bids and budget are under review. This will be the third time it has gone back out to bid.

350th Anniversary

A meeting will be held on Wednesday, October 3 at the Old Town Hall to start planning for the Town of Chelmsford 350th Anniversary Celebration.

Fees and Licenses

This marks the second year for the phase-in of increases in various Board fees and licenses. The matter will be taken up at the next meeting to give the board and businesses a chance to look over the fee schedule. Any interested member of the public can get a copy of the schedule.

**SELECTMEN REPORTS AND REFFERALS**

- Selectman Dalton reported the SBBC has recommended R. F. Walsh for the project manager contract. This information has been announced to the media.
- Selectman McCall said that residents appreciated the bus stop on Wells Fargo Drive. Willis Drive residents have expressed appreciation of the paving on their street as well.
- Selectman Eliopoulos met with Mass Highway and Modern Continental regarding the salt and enclosed drainage system. He passed on the information from the North Water District regarding salt levels in the wells.
- Selectman Moran said a meeting if the train committee is set for Wednesday November 7th.
- FinCom has reviewed the Warrant Articles at their meeting, reported Selectman Moran.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, November 5, 2001 at 7:00 pm. The board voted to go into executive session for the purpose of discussing litigation. There being no further business the board voted by roll to adjourn at 8:45 pm.

Respectfully submitted,

Donna McIntosh

**BOARD OF SELECTMEN**
**MEETING MINUTES**

**October 22, 2001**

A regular meeting of the Board of Selectmen was held on October 22 at the Town Offices beginning at 8:30 a.m. Board members present were Michael McCall, Thomas Moran, Philip Eliopoulos, William Dalton and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

TOWN M ANAGER APPOINTMENTS

Community Action Committee
Mr. Lynch requested the Board vote to approve his appointment of Eric Groves, 2 Wedgewood Drive, to the Community Action Committee. Mr. Groves volunteered for a position after working with the committee on his son's Eagle Scout project.

Selectman McCall made a motion to approve the Town Manager appointment of Eric Groves to the Community Action Committee. Selectman Dalton seconded, appointment approved unanimously.

Conservation Commission
Mr. Lynch requested the Board vote to approve his appointment of Brian Reidy, 12 Proctor Road, to fill a vacancy on the Conservation Commission.

Selectman McCall made a motion to approve the Town Manager appointment of Brian Reidy to the Conservation Commission. Selectman Dalton seconded, appointment approved unanimously.

TOWN MANAGER BIDS/CONTRACT AWARDS

New Police Facility
Mr. Lynch announced that B.W. Construction Co., Inc. of Spencer, MA was the low bidder on the New Police Facility at $6,061,396. Selectman made a motion to approve the award of the contract for the New Police Facility to B. W. Construction Co., Inc. for $6,061,396. Selectman Dalton seconded, award approved unanimously.

A candidate for the Clerks of the Works position will be interviewed on October 23.

Road Salt
Mr. Lynch stated that Eastern Salt Company, North Chelmsford, MA had submitted the lowest bid for road salt at $32.15 perton through a Cooperative Bid with 10 local cities and towns. Selectman McCall made a motion to approve the award of the Road Salt bid to Eastern Salt Company for $32.15 per ton. Selectman Dalton seconded, bid approved unanimously.

UNSCHEDULED BUSINESS

House of Representatives Redistricting

A discussion took place regarding House Speaker Finneran's plan to eliminate the 16th Middlesex District and divide Chelmsford's nine precincts among several other Representatives serving Concord, Westford and Lowell. The proposed plan would take effect in November 2002. The Board feels strongly that the 16th District should be represented by one individual or at the most, two. Selectman McCall made a motion to send a resolution to the State House stating these concerns. Selectman Dalton seconded, motion approved unanimously.

There being no further business, the board voted by roll to adjourn at 9:55 a.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**November 5, 2001**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

- Veterans Day – Regina Jackson, Asst. Veterans Agent
- 230th Anniversary – First Baptist Church of Chelmsford

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

- Board of Selectmen: July 16, 2001
  August 13, 2001
  September 19, 2001

- Executive Session: July 16, 2001
  August 13, 2001

**Town Manager Reports**

**Town Manager Appointments**

- Community Preservation Committee

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:25 p.m.** Public Hearing: Petition of MCI-WorldComm
Billerica Road & Elizabeth Drive
Installation of Underground Fiberoptic Cable

**7:30 p.m.** Application for Two (2) One-Day All Alcohol Licenses: St. John's Church
Application for Three (3) One-Day Beer & Wine Licenses: St. Vartanantz Church
Application for One (1) One-Day Beer & Wine License: St. Mary's Church

**7:35 p.m.** Public Hearing: Petition of Verizon New England Inc.
Billerica Road - Place one (1) pole (push brace)

**7:40 p.m.** Public Hearing: Petition of Verizon & Mass. Electric Company
Groton Road – Place one (1) pole (push brace)

***** This meeting is televised. *****

**7:45 p.m.** Public Hearing: Petition of Mass. Electric Company
Princeton Street – Place (2) two poles
Remove (3) poles

**7:50 p.m.** Public Hearing: Verizon & Mass. Electric Company
Old Stage Road – Place one (1) pole

**7:55 p.m.** Application for Change in Manager: Kastore's Restaurant

**8:00 p.m.** Public Hearing: Verizon & Mass. Electric Company
Acton Road – Place one (1) pole (stub pole)

**8:05 p.m.** Classification Hearing

**Unscheduled Business**

- Application to Sell Christmas Trees – James S. Rich
- Application to Sell Christmas Trees – Bob Clancy
- Discussion of Taxicab Rules

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting: November 19, 2001**

# BOARD OF SELECTMEN MEETING MINUTES

## NOVEMBER 5, 2001

A regular meeting of the Board of Selectmen was held on November 5, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Proclamation - Veteran's Day-Regina Jackson, Asst. Veterans Agent

Regina Jackson, Department of Veterans Services came before the board to announce an event commemorating Veteran's Day to be held Sunday, November 11 at 11 am at Veteran's Memorial Park. She accepted a proclamation from the board.

230th Anniversary-First Baptist Church of Chelmsford

Dressed in period clothes, Steve Sager, First Baptist Church accepted a proclamation regarding the 230th Anniversary of the church in Chelmsford.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Board of Selectman: July 16, 2001, August 13, 2001, and September 19, 2001

Selectman McCall made a motion to approve the Board of Selectmen minutes of July 16 and August 13. Motion seconded and minutes approved unanimously.
Selectman McCall made a motion to approve the board minutes of September 19. Motion seconded, minutes approved with abstention. (B. Dalton abstained)

Executive Session: July 16, 2001, August 13, 2001

Selectman McCall made a motion to approve the minutes from the Executive Sessions of July 16 and August 13. Motion seconded, minutes approved unanimously.

## TOWN MANAGER REPORTS

Discussion of Taxicab Rules

Mr. Lynch distributed the revised taxicab rules to the board with the intention of voting on them at the next regularly scheduled meeting. The board asked for clarification on whether these regulations applied to all taxicabs operating in Chelmsford or only those specifically licensed in Chelmsford.

Blood Drive

Mr. Lynch announced that the Chelmsford Rotary Club would be sponsoring a blood drive on November 11.

Snow Report

Jim Pearson, DPW Director, will discuss winter snow removal procedures and policies at an upcoming Selectmen's meeting. He will also address the high cost of snow removal operations for the previous year.

Riverneck Road Bridge

Modern Continental is questioning the structural integrity of the Riverneck Road Bridge. They are recommending that it be closed and rebuilt. The Town would like to avoid this as it would close off a big portion of the Town. Jim Pearson shares this concern and would like to find alternative solutions to closing the bridge completely. Some alternatives could include weight and speed restrictions as well as interim repairs. Mr. Pearson has suggested bringing in an engineer to assess the situation and make recommendations.

Schedule of Fees

The Town Manager requested the board take up a vote on the second phase of the fee schedule increases. An evaluation of the fees had been conducted the previous year. In some cases, there hasn't been a fee increase in 15 years. These increases have created an additional $10,000 - $12,000 in revenue for the town.
Selectman McCall made a motion to support the second phase of the fee increases for the year 2002. Motion seconded, approved unanimously.

## TOWN MANAGER APPOINTMENTS

Community Preservation Committee

Mr. Lynch requested the Board vote to approve his appointment of Rebecca Markey to the Community Preservation Committee on the basis of her extensive experience in community education of environmental issues.
Selectman McCall made a motion to approve the Town Manager's appointment of Rebecca Markey, 89 Dunstable Road, to the Community Preservation Committee. Motion seconded, appointment approved unanimously.

## SCHEDULED BUSINESS

Public Hearing: Petition of MCI-WorldComm, Billerica Road & Elizabeth Drive, Installation of Fiberoptic Cable

A representative form MCI-WorldComm came before the board seeking approval for the installation of 7,060 feet of underground cable on Riverneck Road, Billerica Road, Mill Road and Elizabeth Drive.
Selectman McCall made a motion to approve the petition for the installation of 7,060 feet of underground cable, including 9 handholes on Riverneck Road, Billerica Road, Mill Road and Elizabeth Drive. Motion seconded and approved unanimously.

Application for Two (2) One-Day All Alcohol Licenses: St. John's Church

Pat Jamros came before the board seeking two One-Day All Alcohol Licenses for St. John's Church, 115 Middlesex Street. There is a current TIPS certification on file for the church.
Selectman McCall made a motion to approve two (2) One-Day All Alcohol Licenses for St. John's Church for the dates of Saturday, November 17 from 6:30 p.m.-11 p.m. and Saturday, December 1 from 6 p.m. –11 p.m. Motion seconded, licenses approved unanimously.

Application for Three (3) One-Day Beer & Wine Licenses: St. Vartanantz Church

Aaron Juknavorian came before the board seeking three (3) One-Day Beer & Wine Licenses for St. Vartanantz Church. There is a current TIPS certification on file for the church.

Selectman McCall made a motion to approve Beer & Wine Licenses for St. Vartanantz Church, 180 Old Westford Road for the following dates: November 16th, 17th, and 18th from 12 p.m.-9 p.m.. Motion seconded, licenses approved unanimously.

Application for One (1) One-Day Beer & Wine License: St. Mary's Church

Bill Donahue came before the board seeking a One-Day Beer & Wine License for St. Mary's Church, 25 North Road for the purposes of a mystery theater to benefit the Youth Ministry. The board discussed the necessity of TIPS certification.

Selectman McCall made a motion to approve a One-Day Beer & Wine License for St. Mary's Church, 25 North Road conditional upon the organization obtaining TIPS certification prior to any future applications for an alcohol license. Motion seconded, license approved unanimously.

Public Hearing: Petition of Verizon New England Inc., Billerica Road-Place one (1) pole (push brace)

Kathy Frasier, representing Verizon, came before the board to request approval to place one push brace on Billerica Road.
Selectman McCall made a motion to approve Plan 984 dated Oct. 2, 2001 for the installation of one pole (push brace) on Billerica Road subject to approval by the property owner. Motion seconded, plan approved unanimously.

Public Hearing: Petition of Verizon & Mass. Electric Company Groton Road-Place one (1) pole (push brace)

Kathy Frasier came before the board to request approval to place one push brace on Groton Road.
Selectman McCall made a motion to approve Plan 983 dated September 6, 2001 for the installation of one pole (push brace) on Groton Road subject to approval by the property owner. Motion seconded, plan approved unanimously.

Public Hearing: Petition of Mass. Electric Company, Princeton Street - Place (2) two pole, Remove (3) three poles

Kathy Frazier came before the board to request approval for the placement of two poles and removal of three poles on the edge of the parking lot of the Glenview Restaurant on Princeton Street. Steve Sampson, owner of the Glenview Restaurant, Princeton St. came before the board to express approval for the plan.

Selectman McCall made a motion to approve Plan 789 dated 9/13/2001 to remove (3) three poles and place (2) two poles and leave the area in as good or better condition. Motion seconded and approved unanimously.

Public Hearing: Verizon & Mass. Electric Company, Old Stage Road - Place one (1) pole

Kathy Frazier came before the board to request approval for the placement of one pole on Old Stage Road to service Justin Road.

Selectman McCall made a motion to approve Plan 981, to place one pole on Old Stage Road conditional upon the update of the utility map to reflect a change in the name of the street to Stage Road. Motion seconded, plan approved unanimously.

Application for Change in Manager: Kastore's Restaurant

Jim Panagakis came before the board to request a change in manager for Kastore's Restaurant, 110 Tyngsboro Road.
Selectman McCall made a motion to approve the change in manager for Kastore's Restaurant, 110 Tyngsboro Road from Kathryn Panagakis to James Panagakis, 8 Cannongate Road, Tyngsboro, MA. Motion seconded, motion approved unanimously.

Public Hearing: Verizon & Mass. Electric Company Acton Road - Place one (1) pole (stub pole)

Kathy Frazier came before the board to request approval for the placement of one stub pole on Acton Road.

Selectman McCall made a motion to approve Plan 985, dated 10/04/2001 to place one stub pole on Acton Road. Motion seconded, plan approved unanimously.

Classification Hearing

The Real Estate Classification Hearing is held on an annual basis to determine the tax rate for commercial, industrial and residential property. Diane Phillips, Town Assessor, recommended keeping the flat tax rate for all three and suggested a rate of $15.81. This is a slight increase from $15.76 for FY 2001.
Selectman McCall made a motion to establish a single tax rate of $15.81 for FY02 subject to the approval of the Mass. Department of Revenue. Motion seconded and approved unanimously.

**UNSCHEDULED BUSINESS**

License to Sell Christmas Trees - James S. Rich

Selectman McCall made a motion to approve a Christmas Tree License for James Rich to sell trees and wreaths at the Central Congregational Church, 1 Worthen St. from November 24 to December 23 from 9 am - 9 p.m. Motion seconded, license approved unanimously.

Application to Sell Christmas Trees - Bob Clancy

Selectman McCall made a motion to approve a Christmas Tree License for Bob Clancy to sell trees and wreaths at the Chelmsford Little League Fields, Route 110, from December 5 through December 24 from 8:30 am - 9:30 p.m. Motion seconded, license approved unanimously.

## SELECTMEN REPORTS AND REFFERALS

- Selectman Weisfeldt reported on the Commission on Disabilities meeting. The library will receive screen readers. On November 28th there will be a talk on emotional and learning problems of children.
- Selectman Dalton reported that the storm drains on Thomas Drive were taken care of.
- The Chelmsford Housing Authority 202 Project is moving forward, Selectman Dalton said. Architectural plans are in place.
- Selectman Dalton passed on a resident's concern about potholes on Hazen Road.
- Selectman Dalton said that there have been several meetings of the SSBC. The architectural firm has presented options to the committee. The schedule may be too aggressive at this point. The need to be thorough and complete should take precedence over meeting all the deadlines. Selectman Moran requested that Dean Carmeris, chairman of the SSBC, make a report to the Board at a future meeting.
- Selectman McCall made a request that the matter of large trucks being stored on private property be addressed at a future meeting. Mr. Lynch has passed these concerns on to the Building Inspector.
- Selectman Eliopoulos reported on a recent Rotary Club Meeting. The main focus of the meeting was to discuss various Route 3 construction issues. He reported that Modern Continental had removed several hundred trees from the Scotty Hollow area. The residents were notified after the removal had taken place. Highway Commissioner Amorello has been invited to come in and meet on the sound barrier issue.
- Selectman Moran reported on a meeting that the Board, Town Manager, and Rep. Carol Cleven had scheduled with Acting Governor Swift regarding the proposed redistricting plan. Peter Forman, representing Gov. Swift who was unable to attend due to a scheduling conflict, met with the group. The purpose of the meeting was to request the governor's veto of Mr. Finneran's proposed redistricting plan. The Governor would take it under advisement.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, November 19, 2001 at 7:00 p.m. There being no further business the board voted by roll to adjourn at 9:05 p.m.

Respectfully submitted,

Donna McIntosh

**BOARD OF SELECTMEN MEETINGMINUTES**

**November 7, 2001**

A meeting of the Board of Selectmen was held on November 7, 2001 at the Adams Library beginning at 7:30 p.m. Board members present were Selectmen Philip Eliopoulos, Thomas Moran, Stuart Weisfeldt and Michael McCall. Also present was Bernard F. Lynch, Town Manager.

Guests: Robert Flynn, Exec. Director, Northern Middlesex Council of Governments (NMCOG)
James Good, Chelmsford Liaison to the Lowell Regional Transit Authority (LRTA)
Robert Hannon, LRTA
Representatives from the State of New Hampshire, Parsons Brinckerhoff, and HNTB Architects
Members of the Train Committee.

The purpose of the meeting was to receive a presentation on the proposed Nashua to Boston rail service extension.

Presentation

Chairman Moran asked the presenters to introduce themselves:

Dennis Coffey, HNTB Architects, Rail Systems Group
Kit Morgan, New Hampshire Department of Transportation
Ron O'Blenis, Project Manager, Parsons Brinckerhoff
Andrew Singelakis, New Hampshire Regional Planning Commission

Mr. Moran noted that the presentation did not discuss the possibility of locating train stations in the Chelmsford/Tyngsborough area.

Mr. O'Blenis thanked the Town for the opportunity to give the presentation which had previously been given to the Town of Tyngsborough. He stated that his presentation did not include the issue of train stations outside of New Hampshire but understood Chelmsford's and Tyngsborough's strong interest in the matter. He began by stating the purpose of the proposed rail service extension:

- To provide transportation alternatives to the growing Southern New Hampshire area and surrounding corridor
- Continued support for the technological growth in New Hampshire and business expansion by enabling workers to commute between locations
- Long-term traffic mitigation for the Route 3 and Interstate 93 corridor
- Component of the New Hampshire Long Range transportation plan and future expansion
- Use of regional airports to relieve Logan International Airport.

Mr. O'Blenis stated that the Lowell to New Hampshire extension of rail service was a State of New Hampshire project. Passenger service from New Hampshire was discontinued in 1997. The proposed rail extension would provide an alternative for Nashua area residents to use commuter rail to Boston from train stations in downtown Nashua and/or near Exit 2 on Route 3. From the station at Gallagher Terminal in Lowell, 416 of the daily trips originate from New Hampshire residents, and 1,569 originate in Massachusetts.

The total distance of the extension would be 14 ½ miles, with 9 ½ miles in Massachusetts. Approximately ten miles of double track would have to be installed. Improvements would be needed at a number of grade crossings and bridges. Other work would have to be done along the rail lines in locations such as Helena Drive in Tyngsboro and the Wellman Avenue area in North Chelmsford. Drains in some locations would also have to be restored.

They anticipate 11 round trips per day from Nashua to Boston.

There are three major steps in the approval process:

- An agreement with the Executive Office of Transportation and Construction - Commonwealth of Massachusetts
- Approval of Mass. Legislature for the service extension
- A special service agreement with the MBTA and Guilford Rail.

The schedule calls for preliminary hearings, environmental assessments and final design. Construction would begin in 2003 and continue through 2004. Completion is expected in the first quarter of 2005.

Questions and Answers

Selectman Eliopoulos mentioned the public hearing that was held in July, 2000 where the residents indicated their strong support for train service. He stressed the Town's interest and support of a train station located in the North Chelmsford/Tyngsborough area. Selectman Moran added that the presence of a train station would help slow the trains as they pass through local neighborhoods. Selectman McCall expressed concern about two possible station sites: one near Southwell Park and the other near Wellman Avenue due to recreational activities at Southwell Park, and the Lighthouse School and residential properties at the Williamsburg Condominiums.

Mark Connors, 61 Dunstable Road, discussed the Lighthouse School and the fact that there is only one way in and one way out. He urged the involvement of Chelmsford Public Safety. He also asked about having train stops rather than a station at either the Southwell Park or Wellman Avenue areas. Mr. Connors also asked about the need for fencing as a sound barrier for the Williamsburg and Adams Farm Condominiums.

Mr. O'Blenis answered that improvements in the way tracks are constructed will result in the elimination of most noise. "Joint clanging" will be eliminated by welded-rail construction. He said no noise barriers are anticipated, although noise monitoring will be on-going. Williamsburg Condominiums may need a fence-type barrier for aesthetic reasons.

Selectman Eliopoulos stated that a train derailment of a few years ago was a source of apprehension for Williamsburg residents. Mr. O'Blenis said that the installation of double tracks would help reduce the possibility of derailments.

Jan Spence, 816 Wellman Avenue, asked about traffic problems such as delays in the morning commuting hours while waiting for trains to pass. She asked if a traffic light had been considered. She also mentioned delays for school buses entering and exiting. Quite a few buses come into Wellman Avenue, for both for the Lighthouse School and the Chelmsford Public Schools. They could be lined up along Wellman Avenue and Tyngsborough Road.

Mr. Lynch responded that the Town had not previously discussed a traffic light near Wellman Avenue.

Ms. Spence stated that there is a history of fatalities occurring where train stations are located and that the Town must ensure the safety of its residents.

Selectman Weisfeldt asked about a stop at the Pheasant Lane Mall.

Mr. Morgan stated that the Mall was not receptive to the idea.

Mr. Hannon said that the LRTA was in full support of a station in North Chelmsford.

Mr. Flynn said that NMCOG maintained oversight and had provided input to the project. He expressed concern about the MBTA study on the feasibility of a station in North Chelmsford/Tyngsborough and the timing of actual construction of a station. He would like to see all parties working together timewise.

Selectman Moran mentioned that Tyngsborough was in support of the MBTA study.

Selectman Moran thanked Mr. O'Blenis for giving an excellent presentation. There being no further business the board voted by roll to adjourn at 8:40 p.m.

Respectfully submitted,

Janet Murphy

Janet Murphy

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## November 19, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**
- Holiday Lighting & Prelude Announcement - Linda Harrington

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**
- Voting Machines

**Scheduled Business**

**7:30 p.m.** Joint Meeting with Finance Committee and Secondary School Building Committee

**8:00 p.m.** Transfer of Common Victualer License: Bagel Parade, 14 Fletcher Street

**Unscheduled Business**

- Town Manager Evaluations
- Taxicab Rules & Regulations

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting:** December 3, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**
**NOVEMBER 19, 2001**

A regular meeting of the Board of Selectmen was held on November 19, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Phil Eliopoulos, Bill Dalton, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present was Bernard Lynch, Town Manager.

## PUBLIC SERVICE ANNOUNCEMENTS

Holiday Lighting and Prelude

Linda Harrington, Holiday Decorating Committee came before the board to announce the Holiday Prelude. The festivities are scheduled for Sunday, December 2 from 4-6 p.m. at the Town Common. Entertainment includes a variety of singing groups, hayrides, face painting and coloring contest. Harrington Wine and Liquor is sponsoring a hot dog and refreshment table. Santa will be making an appearance and posing for pictures with the kids.

## TOWN MANAGER REPORTS

State Budget

Massachusetts remains the only state without a budget at this time. The budget should be passed by Wednesday. State aid remains unclear although it doesn't appear that local aid will be cut much.

Leaf Pick-up

The recycle brochure originally stated that there would be two leaf pick-ups during November. However, given the two holidays this was not practical for the waste company. The schedule was revised, and a new date of December 8 was added . Mr. Lynch apologized for any inconvenience or confusion this may have caused for the residents.

Drum Hill Crosswalk

A meeting has been scheduled with traffic engineers to study the possibility of creating a crosswalk across Drum Hill Road. There will need to be work done to light sequencing. The Town is also working with the Planning Board. A fund has been established by the businesses in the area to aid pedestrian traffic.

Riverneck Road

Short-term repair has been done to the Riverneck Road Bridge. Any problems with the bridge have been taken care of for the time being.

Meadowbrook Road Culvert

A culvert needs repair on Meadowbrook Road necessitating closing the road for a period of two weeks. Ample notice will be given on the road closing and traffic detour routes.

New Police Facility

The police station ground breaking has taken place.

## TOWN MANAGER BIDS/CONTRACT AWARDS

Voting Machines

LHS Associates, Inc., 13 Branch St., Methuen, MA was the only vendor to respond to the request for bids for new voting machines. Town Clerk Mary St. Hilaire is very familiar with this vendor, having a 14-year history with the company. A trade-in credit of $5,000 was given for the old Optech machines.

Selectman McCall made a motion to approve the award of the bid for ten (10) Direct Read Optical Vote Tabulators and one (1) Vote Tally System to LHS Associates, Inc. for the amount of $61,495.00. Motion seconded, bid approved unanimously.

Secondary School Building Project Manager

The Town Manager awarded the contract for the School Building Project Manager to KVA for the amount of $94,000. The SSBC reached the decision after careful consideration.

Selectman McCall made a motion to approve the award for School Building Project Manager to KVA for the amount of $94,000. Motion seconded, award approved unanimously.

## SCHEDULED BUSINESS

Joint Meeting with Finance Committee and Secondary School Building Committee

Selectman Moran welcomed members of the Finance Committee and Dean Carmeris of the Secondary School Building Committee to the joint meeting.

Mr. Carmeris said the original intent of this meeting was to present some conceptual designs, however, the project has not progressed to that point. There were a number of items that did warrant discussion including an update, the current SBA situation, and the project timeline.

Community education continues to be a key element to the success of the project. The education plan includes the website, public presentations, weekly articles in *The Independent*, a Town-wide mailer and public input sessions. There have been two public input sessions: one at the Parker Middle School and the other at the McCarthy School. While the sessions went well, the committee was somewhat disappointed by the poor attendance and the relative homogeny of the attendees. Most were parents of students in the school system. It is hoped that as the project moves on there will be wider interest from the community.

The current focus of the committee has been on the creation of two documents: the educational specification and the program summary. The ed-spec is a spreadsheet based on the following four criteria; curriculum, enrollment, class size and room utilization. This is a detailed document that details how many classrooms and what type are needed. This document is eventually folded into the program summary. The program summary also contains the offices, storage, and other common spaces necessary. The end result is the exact square footage. The enrollment numbers are based on the maximum projected enrollment. The School department and School Committee have done a tremendous amount of work to facilitate this project. Once these documents are complete the project can move to the conceptual design options phase. The architects will come up with some options and the committee will evaluate the relative merits.

The high school plans are relatively straightforward. There will be some renovation and the addition of a new auditorium. There is a greater variation in the configuration of the middle schools. Mr. Carmeris went on to detail some of these variations. Selectman Dalton suggested that the Parker and McCarthy Schools be preserved for municipal space if a new dual middle

school is built. Mr. Carmeris responded that the committee hadn't considered preserving the Parker School, but doing so would save some money on demolition fees. This preservation for municipal space would need to be balanced against the cost of rehabbing and running the buildings for another purpose. These decisions would be made by the Town, not the committee.

The State's economic condition has had a dramatic influence on the committee's pace of work. The committee is working very hard to complete the work and have the project meet the June 1st deadline for the SBA. The wait for funding to kick in could stretch out to between 6 to 10 years. Short term funding is available but there is a question as to how "short-term" this funding actually is, and what the cost will be to the community. The alternative is to wait to begin construction, but inflation has a cost too. The committee is looking for input from the Town and Finance Committee. The Board and Town Manager agreed that in all likelihood the situation at the SBA would not improve with time and that getting the project in for approval as early as possible was preferable. Mr. Carmeris said the priority was to get the project done right the first time while still meeting these deadlines.

Transfer of Common Victualer License: Bagel Parade, 14 Fletcher Street

William Olson, 16 Cottage Row, came before the board to request a transfer of Common Victualer License for Bagel Parade, 14 Fletcher Street. At the request of area medical facilities Mr. Olson was seeking to extend the weekday hours of operation from 5 p.m. to 9 p.m.

Selectman McCall made a motion for a transfer of Common Victualer License for the Bagel Parade, 14 Fletcher Street to The Americana Café with William Olson, Manager for the hours of operation; 6 a.m.-9 p.m., weekdays and 7 a.m.-6 p.m., Sundays. Motion seconded, transfer approved unanimously.

**UNSCHEDULED BUSINESS**

Taxicab Rules & Regulations

Raymond McCusker, Police Chief briefed the board on the suggested taxicab rules and regulations. He and John Coderre researched policies in other towns regarding taxicab regulations. Chief McCusker is currently doing more research on whether the regulations would apply to companies licensed in other communities. There is also the question of whether these companies should be licensed or registered in the town of Chelmsford. The Board agreed with his recommendation that the vote be postponed until the research could be completed and evaluated by Town Counsel.

**TOWN MANAGER EVALUATIONS**

Selectman Eliopolous stated that this year the annual evaluation of Mr. Lynch's performance as Town Manager would be reported without numerical ratings. Each of the Selectman would provide their comments in the following areas: legislative relations, public relations, budget preparation, managerial skills, supervisory skills and professional development. These areas are summarized as follows.

Legislative Relations: The board praised Mr. Lynch's ability to work with the BOS and other Town boards and committees. As a board they gave especially high marks for Town Meeting preparation and communication. There are a number of ongoing projects that go beyond the scope of the Town. Mr. Lynch has worked well on the State level, as well.

Public Relations: Mr. Lynch's works well with a variety of local media. The board is impressed by the clarity of information released by the Town. His Pre-Town Meeting work is excellent.

Budget Preparations: As a whole, the Board agreed that the area of budget preparation and forecast is perhaps Mr. Lynch's greatest strength. This expertise will serve Chelmsford well in this time of economic uncertainty.

Managerial Skill: The Town is currently involved in a number of projects. Mr. Lynch is very effective in his dealings with Department Heads. The Board finds his Project Status Report to be extremely helpful as a tool to stay focused and up to date on various Town projects.

Supervisory Skill: The department heads and staff are excellent. This reflects well on the Town Manager. He is an effective delegater, a skill which serves to optimize both his performance and that of his staff.

Professional Development: The Town Manager is active in the Mass. Municipal Association and takes advantage of many of their seminars and programs.

Mr. Lynch thanked the Board for the positive evaluation. He went on to say that he was always looking to improve communication. He agreed that the Project Status Report was an excellent tool. As for the budget, Mr. Lynch stressed that this is a time where difficult decisions will need to be made. Careful management of reserves is crucial to the fiscal future of the Town. The staff and department heads make the organization tick, and they have the best interests of the Town at heart. Mr. Lynch said he continues to find the job rewarding and challenging.

**SELECTMAN REFERRALS**

- Selectman Weisfeldt reported that the Sewer Commission would be installing a dedicated sewer line to Nashoba. The line will also accommodate a large housing development on Route 110.
- Dave Hedison of the Housing Authority has received a $60,000 grant. He should be commended given the original stated award was only $50,000, reported Selectman Dalton.
- Selectman Moran reported on an article he had seen regarding affordable housing. He found the numbers to be way off and outdated.
- Selectman Eliopoulos reported that the state has looked at the bridge on Riverneck Road and found that it is structurally sound.
- Selectman Eliopolous reported that Commissioner Amorello would be at the next Route 3 PAC meeting. Constituents in neighborhoods affected by the construction have been invited to attend.
- Selectman McCall reported fielding calls from residents in West Chelmsford concerned about remaining building materials from the sewer project.
- Selectman McCall said that the Community Preservation Committee will have a meeting on December 19th.
- Selectman McCall clarified the temporary fire station closings. The only ones closed were the East and West Stations. These closings should be winding down.

- Selectman Moran attended a meeting sponsored by the MBTA on the proposed Nashua-Boston train service. The MBTA is conducting a feasibility study on possible sites for a train station. A list of sites is included in the study, although Tyngsboro is not among them. The next meeting is scheduled for sometime in January.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, December 3, 2001 at 7:00 p.m. The board voted to go into Executive Session for the purpose of discussing collective bargaining and litigation. There being no further business, the board voted by roll call vote (Dalton-Aye, Eliopolous-Aye, McCall-Aye, Moran-Aye, Weisfeldt-Aye) to adjourn the regular meeting at 9:30 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

## December 3, 2001

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**
- Presentation of Brick Kiln Cup – R. Correnti, Billerica BOS

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**
- Board of Selectmen: September 10, 2001
  September 24, 2001

**Town Manager Reports**
- Snow & Ice Operations: James Pearson, D.P.W. Director

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Public Hearing: North Chelmsford Auto Parts
Renewal of Class III Auto Dealer

**7:40 p.m.** Application for Change in Manager: Bainbridge's Restaurant

**Unscheduled Business**
- BOS Approval of Deed: Conservation Restriction, Talbot Estates Subdivision
  Planned Open Space Development
- Annual License Renewals

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting:** December 17, 2001

***** This meeting is televised. *****

**BOARD OF SELECTMEN MEETING MINUTES**

**DECEMBER 3, 2001**

A regular meeting of the Board of Selectmen was held on December 3, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, and Tom Moran. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager. Selectman Weisfeldt was absent.

## PUBLIC SERVICE ANNOUNCEMENTS

Presentation of Brick Kiln Cup - Robert Correnti, Billerica Board of Selectmen

Robert Correnti of the Billerica Board of Selectmen presented the Board with the Brick Kiln Cup in honor of the CHS football team's Thanksgiving Day win. Mr. Correnti congratulated Coach Rich and quarterback Mark Brown on an excellent win. Selectman Moran thanked the Billerica selectmen for their hospitality on the day of the game.

## OPEN SESSION

Barrett-Byam House Holiday Open House

Donna Ready, Chelmsford Historical Society, invited the Board and public to attend the annual holiday open house at the Barrett-Byam House on Friday, Dec. 7 from 7 p.m. - 9 p.m. Tours of the house will be conducted and refreshments served. The Historical Society's homegrown honey will be available for purchase.

Dalton Road Striping

Peter Fagan, Fern St. came forward to thank the Board and Town officials for their help in getting the striping completed on Dalton Road.

## APPROVAL OF MINUTES FROM PREVIOUS B.O.S. MEETINGS

Board of Selectman: September 10, 2001 and September 24, 2001

Selectman McCall made a motion to approve the board minutes from September 10, 2001. Motion seconded and minutes approved unanimously with one abstention. (B. Dalton abstained)

Selectman McCall made a motion to approve the board minutes from September 24, 2001. Motion seconded, minutes approved unanimously.

## TOWN MANAGER REPORTS

Snow & Ice Operations: James Pearson, D.P.W. Director

Jim Pearson said the primary objective of the D.P.W. during a storm is to keep the roads passable to emergency vehicles. Sanders go out for levels of between 0"-1" of snow or ice. At 1"-3" of snow sanding and scraping of the roads, sidewalks and parking lots occurs. At 3" the plowing crews go out. The Town currently has a fleet of 21 town vehicles and 42 contractors. The D.P.W. gets its weather information from a variety of

sources including the news channels, Internet, UMass Lowell and a private weather service.
Mr. Pearson reminded the community of the bylaws prohibiting on-street parking during a snow emergency and the prohibition on pushing snow into the street. The Town will replace or repair plow-damaged mailboxes.
The Board asked what the D.P.W. was doing in regards to the water districts concerns for salt levels in the water. Mr. Pearson responded that the standard mix is a low-salt 6-1 ratio. If conditions warrant, a stronger mix is used. Safety must be balanced against environmental concerns.

FY 2001 Budget Update

The State has passed a budget. There is good news in the Chapter 70 aid in that it hasn't been reduced. The Chapter 81 highway account has been reduced by 75% despite reports from Senator Fargo's office that cuts were not made to local aid. There are concerns that lottery money will be cut. These figures were used previously at Town Meeting. The Department of Revenue is deciding what to do at this point.

Mr. Lynch raised the possibility of postponing Town Meeting to May or June. This would allow for time to get a better handle on the budget. A freeze on hiring of non-critical staff is one measure that has been taken during the current fiscal year. A reduction of Town services may be necessitated in FY03.

Golden Cove Traffic Lights

The cost of the Golden Cove Road traffic signalization project has come in considerably higher than the original estimates. There is currently $200,000 in the fund but the cost is coming in at $340,000. They are studying ways to modify the design to bring down costs including eliminating the sidewalks.

**SCHEDULED BUSINESS**

Public Hearing: North Chelmsford Auto Parts Renewal of Class III Auto Dealer

Philip D'Angelo came before the board seeking the annual renewal of a Class III Auto Dealer license for North Chelmsford Auto Parts on Sleeper Street. Favorable reports were received from Andy Sheehan, Chief McCusker and Tony Zagzoug.
Selectman McCall made a motion to approve the renewal of the Class III Auto Dealer license for North Chelmsford Auto Parts. Motion seconded, license approved unanimously.

Application for Change in Manager: Bainbridge's Restaurant

Douglas Gembis, 4 Campers Trail, came before the board seeking approval for a change in manager for Bainbridge's Restaurant, 75 Princeton Street.
Selectman McCall made a motion to approve the application for a Change in Manager for Bainbridge's Restaurant from Peter deCastro to Douglas Gembis. Motion seconded, motion approved unanimously.

**UNSCHEDULED BUSINESS**

Approval of Deed: Conservation Restriction, Talbot Estates Subdivision Planned Open Space Development

Selectman McCall made a motion to approve the deed for a Conservation Restriction for Jacmar Construction Corporation for the subdivision known as Talbot Estates, off Churchill Road and Sanford Road under M.G.L. Ch. 40, Sec. 8-C and M.G.L. Ch. 184, Sec. 32 as they have been and may be amended, as requested by vote of the members of the Conservation Commission of the Town, for the protection of the natural and watershed resources of the Town. Motion seconded and approved unanimously.

Annual License Renewals

Selectman McCall made a motion to approve the hearings for non-renewal of licenses for Ciro's, 285 Chelmsford St. (12/17, 7:30 p.m.), and Jimmy's Pizza, 2 Alpine St. (12/17, 8 p.m.). Motion seconded and approved unanimously.

Selectman McCall made a motion to hold the renewal of the All-Alcohol License for the Alambique pending a report on the status of the establishment. Motion seconded and approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Club Licenses** for 2002:

The American Legion

Chelmsford Elks, Lodge 2310

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Innholders Licenses** for 2002:

Chelmsford Hotel Company

PKS Realty, Inc. d/b/a Best Western

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **Beer & Wine Restaurant** Licenses for 2002:

Amici's Trattoria

Chelmsford House of Pizza & Seafood

Evzon

Kastore Restaurant

Papa Gino's

The Dino Dog d/b/a Jack's Diner

Cleopasta, Inc.

Khoo & Ng Corp.

Seafood Connections Restaurant – **Contingent upon payment of outstanding Personal Property taxes ($18.50 plus interest).**

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Restaurant Licenses** for 2002:

Alambique, Inc.

The Banqueteer

Bertucci's Restaurant Corp.

Ciro's Inc.-170 Concord Road - **Contingent upon payment of outstanding Personal Property taxes ($81.37 plus interest).**

Chelmsford Country Club

Country Club Too, Inc.

Dutch Uncles, Inc.

Garlic and Pepper

Glenview Lounge and Pub

The Ground Round

Hong & Kong Restaurant

Jimmy's Restaurant IV – **Contingent upon the payment of past due *Certificate of Inspection* fees to the Building Inspector's office.**

Panda Wok, Inc.

Skip's Restaurant

Szechaun Chef Restaurant

Team Management Group d/b/a Bainbridge's

Vincenzo's Restaurant

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **All Alcohol Package Store Licenses** for 2002:

DJVP Ram Corp.

Drum Hill Liquor Mart

Harrington Wine & Liquors

M.W.N. Inc.

The Wine Rack - **Contingent upon payment of outstanding Personal Property taxes ($5.92 plus interest).**

Vrouhas, Inc. – **Contingent upon payment of outstanding permit fees to the Fire Dept.**

Westlands Package Store

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **Beer & Wine Package Store** License for 2002:

Ted's Market – **Contingent upon the payment plan with the Finance Director**

Motion seconded, license approved unanimously.

Selectman McCall made a motion to approve the following **Auto Dealers Licenses** for 2002:

**Class I Auto Dealers**

Route 3A Motors

**Class II Auto Dealers**

A+ Auto Body

Bodyworks

Bosco Automotive – **Contingent upon payment of outstanding permit fees to the Fire Dept.**

Chadwick-BaRoss

Chelmsford Auto Sales – **Contingent upon payment of outstanding permit fees to the Fire Dept.**

Duffy's Auto Co., Inc

Ferreira Wrecker Sales – **Contingent upon payment of outstanding permit fees to the Fire Dept**.

J.M. Auto Sales of Chelmsford, Inc. – **Contingent upon payment of outstanding Permit fees to the Fire Dept.**

J.P. Rivard Trailer Sales, Inc.

Jim Gervais Sales, Inc.

John's Auto Sales – **Contingent upon payment of outstanding permit fees to the Fire Dept**.

Landry's Automotive – **Contingent upon payment of outstanding Personal Property taxes ($1,627.00 plus interest)**

Matt Nicolopoulos

McGovern Automotive – **Contingent upon payment of outstanding permit fees to the Fire Dept**.

Merrimack Auto Sales

Morton Jaguar Service, Inc.

N.T.C. Automotive

Northeast Transmission Company

R & P Automotive – **Contingent upon payment of outstanding Real Estate taxes ($975.45 plus interest).**

Silva's Garage and Auto Sales

Stony Brook Auto Body

Tony's Used Cars

Winner's Circle Auto Sales, Inc.

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the following **Common Victualer** Licenses for 2001:

A+ Mini Market

Adams Corner Variety - **Contingent upon payment of outstanding permit Fees to the Fire Dept and payment of outstanding Personal Property taxes ($65.58 plus interest).**

Antonio's Pizza

Belair Café

Bianco & Sons Catering

Bickford Family Restaurant

Boston Market Corp.

Brickhouse Pizza

Brothers Gourmet Pizzeria

Burger King Restaurant

Carvel Ice Cream Store - **Contingent upon outstanding Personal Property taxes ($114.10 plus interest).**

Carven Catering Services

Chelmsford Center Deli – **Contingent upon payment of outstanding Personal Property Taxes ($12.82 plus interest).**

Common Cup Café - **Contingent upon payment of outstanding Personal Property taxes ($9.46 plus interest).**

Country Club USA

D'Angelo's Sandwich Shop

Domino's Pizza

Dunkin Donuts – Drum Hill Road

Dunkin Donuts – Chelmsford Street

Einstein Brothers Bagels

Elliott's Hot Dogs

Energy North Stores

Fresh Chow Restaurant

Friendly Ice Cream Corp.

Gary's Ice Cream

I.Z.A. Pizza

JD'S One Ten 's 110 Restaurant

Kell's Cafe

McDonald's Restaurant

The Pizza Place

Shell Food Mart

Starbucks Coffee Company

Tai Shiang Garden

The Americana Café

Timbo's

Togo's

Tony and Ann's Pizza – **Contingent upon payment of outstanding Real Estate taxes ($944.35 plus interest).**

Village Square Convenience Store

Wal-Mart Stores, Inc. – **Contingent upon payment of outstanding permit fees to the Fire Dept**.

Express Pizza of New England

Motion seconded, licenses approved unanimously.

Selectman McCall made a motion to approve the **Common Victualer License** for 2001 Zesty Pizza. Motion seconded, license approved with one abstention. (P.Eliopoulos abstained)

**SELECTMEN REPORTS AND REFFERALS**

- Selectman Dalton reported the SBBC is moving ahead, however not as quickly as the committee would like. Dave Hedison, Chelmsford Housing Authority, has received a $300,000 grant for the 202 Project. The project is fully funded.
- Selectman Eliopoulos announced that the Highway Commissioner would be attending the Route 3 PAC meeting on Thursday.
- Selectman Eliopoulos opened a discussion on the commuter train from Nashua and the possibility of a station in Chelmsford. Mr. Lynch commented that the primary concern at this time is to get the train running. Selectman Moran said that he and Selectmen from surrounding communities are in favor of a local station and will continue to make their views known.
- Selectman Moran reported on the new LRTA bus station in Lowell. The station is fantastic. Bobby Kennedy and Jimmy Goode have done an excellent job.
- Selectman Dalton reported hearing from residents about what appears to be a used car lot operating out of the Route 3 Cinema site. Mr. Lynch responded that he would have it investigated.

**NEXT REGULAR MEETING**

The next meeting is scheduled for Monday, December 17, 2001 at 7:00 p.m. The board voted to go into executive session for the purpose of discussing collective bargaining and litigation. There being no further business the board voted by roll to adjourn at 8:55 p.m.

Respectfully submitted,

Donna McIntosh

# CHELMSFORD BOARD OF SELECTMEN
# MEETING AGENDA

**December 17, 2001**

**7:00 p.m.** **Call to Order—Pledge of Allegiance**

**Public Service Announcements**

**Open Session**

**Approval of Minutes from Previous B.O.S. Meeting(s)**

**Town Manager Reports**

**Town Manager Appointments**

**Town Manager Bids/Contract Awards**

**Scheduled Business**

**7:30 p.m.** Disciplinary Hearing: Ciro's Restaurant, 285 Chelmsford Street
Non-payment of Taxes and Fees

**8:00 p.m.** Disciplinary Hearing: Jimmy's Pizza, Subs and Seafood, 2 Alpine Lane
Non-compliance with Town of Chelmsford
Liquor License Regulations

**Unscheduled Business**

- BOS Vote: Optical Scan Election System
  - * Approve Use of Accu-Vote ES 2000 Voting Machine
  - * Approve Discontinuance of Optech III-P-Ballot Tabulation

**Selectmen Reports/Referrals**

**Press Questions**

**Executive Session**

**Next Regular Meeting:** January 14, 2002

**BOARD OF SELECTMEN MEETING MINUTES**

**DECEMBER 17, 2001**

A regular meeting of the Board of Selectmen was held on December 17, 2001 at the Town Offices beginning at 7:00 p.m. Board members present were Selectmen Bill Dalton, Phil Eliopoulos, Michael McCall, Tom Moran, and Stuart Weisfeldt. Also present were Bernard Lynch, Town Manager and John Coderre, Assistant Town Manager.

## EXECUTIVE SESSION

At 7 p.m. the Board voted by roll (DB-aye, PE-aye, MM-aye, TM-aye and SW-aye) to go into executive session for the purpose of discussing pending litigation and collective bargaining. The regular meeting would reconvene at 7:30 pm.

## TOWN MANAGER REPORTS

FY 02 Budget

Reports from the State indicate that next year is going to be difficult. In accordance with the charter, the Town budget must be presented by January 23. A priority is to limit the impact on services.
Selectman Moran suggested that the Spring Town Meeting be postponed to May or June to allow for a better indication from the State on its budget. Mr. Lynch said that this has been done in the past. The general law states that the meeting must be held by June 13th. Selectman Moran went on to request a joint meeting with the School Committee and the Finance Committee to be scheduled in January.

## SCHEDULED BUSINESS

Disciplinary Hearing: Ciro's Restaurant, 285 Chelmsford Street - Non-payment of Taxes and Fees

Fred Mansfield, Collector of Taxes, reported receiving a check in the amount of $27,951.74 from Attorney Peter Lawlor, representing Ciro's, for all back taxes owed the Town up to January 2002. Mr. Mansfield would verify the funds first thing Tuesday morning. The payment of the taxes clears up the necessity for a disciplinary hearing. Selectman McCall made a motion to approve the renewal of the liquor license for Ciro's Restaurant, 285 Chelmsford Street, subject to approval of the verification of funds. Motion seconded and approved unanimously.

Disciplinary Hearing: Jimmy's Pizza, Subs and Seafood, 2 Alpine Lane - Non-compliance with Town of Chelmsford Liquor License Regulations

The Town received correspondence from Jimmy's Pizza stating they were scheduled for the TIPS training course on December 19th. After completion of the course, they should

receive a certificate in about three weeks. Jimmy's apparently felt that this correspondence would obviate the need to appear before the board.
Selectman McCall made a motion to approve the renewal of a Beer and Wine License for Jimmy's Pizza, 2 Alpine Lane subject to the verification of TIPS certification prior to the issuance of the license. Motion seconded, renewal approved unanimously.

## UNSCHEDULED BUSINESS

BOS Vote: Optical Scan Election System:

— Approve Use of Accu-Vote ES 2000 Voting Machine
— Approve Discontinuance of Optech III-P Ballot Tabulation

Selectman McCall made a motion to approve the use of the Accu-Vote ES 2000 Voting Machine and discontinue the use of the Optech III-P Ballot Tabulation machine when the Accu-Vote ES 2000 becomes available. Motion seconded and approved unanimously.

## SELECTMEN REPORTS AND REFFERALS

- Selectman Weisfeldt reported that Mr. Fall of the Commission on Disabilities has found that the elevator at Ciro's Restaurant is out of order and has been for some time. This is a problem as the restrooms are on the lower level. Mr. Lynch said he was anticipating a visit from the Building Inspector at the establishment.
- The SSBC continues to meet frequently, reported Selectman Dalton. The aim of the committee is to continue to try and meet the June deadline for SBA project acceptance cycle. Nine options have been proposed by OMR. The committee will be considering these options and narrowing them down to three.

The Board wished the community a happy and healthy holiday.

## NEXT REGULAR MEETING

The next meeting is scheduled for Monday, January 14, 2002 at 7:00 p.m. There being no further business, the Board voted by roll to adjourn at 8:25 p.m.

Respectfully submitted,

Donna McIntosh